

Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Case: DMP2006001 Major Amendment, Belmont Development Master Plan

Meeting Date: October 5, 2006

Agenda Item: 8

Supervisor District: 4 & 5

Applicant: Beus Gilbert, PLLC

Property Owner: Belmont Partnership

Request: Major amendment to the Belmont Development Master Plan as a Protected Development Right plan

Proposed Use: Mixed-use master planned community

Site Location: Approx. north of McDowell Rd. alignment, south of the Central Arizona Project (CAP) Canal, west of Hassayampa River, and east of the Wintersburg Rd. alignment on the west (in west-central Maricopa County)

Site Size: Approx. 24,800 acres

County Island Status: N/A

Summary of Conformance with Adopted Plans:

County Plan: The Maricopa County Comprehensive Plan recognizes approx. 20,805 acres of Belmont as an approved DMP. The remaining acreage associated within this request is identified in the *Tonopah/Arlington Area Plan* as Rural Residential (0-1 du/ac) west of 347th Ave. and 371st Ave., and Rural Residential (0-1 du/ac) and Community Retail Center east of 347th Ave.

City/Town Plan: N/A.

Support/Opposition: To date, staff has received one letter of opposition to this request.

Recommendation: **Continue indefinitely**

Belmont DMP: History

1. *October 17, 24; December 6, 1990:* The Planning and Zoning Commission holds several study sessions and public meetings regarding the Belmont Development Master Plan. Numerous issues are discussed, including air quality.
2. *February 21, 1991:* The Planning and Zoning Commission holds hearing for the Belmont Development Master Plan (case # MP90-1). After consideration and discussion, the Commission continues the case until March 21, 1991.
3. *March 21, 1991:* After several motions, the Commission recommends approval of the Belmont DMP subject to stipulations.
4. *April 15, 1991:* After extensive debate, the Board of Supervisors continues this case until May 20, 1991.
5. *May 20, 1991:* After additional debate, the Board of Supervisors continues this case until the May 23, 1991 executive session.
6. *May 23, 1991:* Board of Supervisors approves the Belmont DMP subject to stipulations.
7. *May, 1996:* Applicant submits a required status report outlining activities that had taken place during the previous five years.
8. *November 7, 1996:* Belmont status report considered and approved by the Planning and Zoning Commission.
9. *November 7, 2001:* Applicant submits a second required status report outlining activities that had taken place since 1996.
10. *August 22, 2002:* Staff recommends denial of the status report to the commission due to non-compliance with the narrative and the stipulations of approval. Staff outlines several possible options for consideration, including revocation of the DMP. The Commission directs staff to prepare revised stipulation where necessary, and address current county requirements via new stipulations. The case was then continued to the October 3, 2002 Commission hearing.
11. *October 3, 2002:* Commission continues consideration of the status report and revised stipulations to the January 9, 2003 hearing.
12. *January 9, 2003:* Commission continues consideration of the status report and revised stipulations to the June 5, 2003 hearing.

13. *June 5, 2003:* Commission continues consideration of the status report and revised stipulations to the December 4, 2003 hearing.
14. *December 4, 2003:* Commission continues consideration of the status report and revised stipulations to the February 5, 2004 hearing.
15. *February 5, 2004:* Commission continues consideration of the status report and revised stipulations to the March 4, 2004 hearing.
16. *March 4, 2004:* Commission recommends approval of the status report and revised stipulations.
17. *June 16, 2004:* Board of Supervisors approves the status report and revised stipulations as follows:
 - a. Development to be in accordance with the Narrative entitled "Belmont Development Master Plan" dated revised September 28, 1990. Changes to the existing Belmont Development Master Plan or the adopted stipulations must be processed as an amendment in accordance with the applicable development master plan guidelines in effect at the time of the amendment submission.
 - b. Domestic water shall meet Safe Drinking Water Act requirements.
 - c. Roadside interceptor channels to be located outside roadway right-of-way within appropriate easements and provisions made or requirements maintenance.
 - d. Northern Avenue alignment through the master planned area shall be designated to have a 130-foot arterial right-of-way.
 - e. The intersection of Belmont Parkway and Northern Avenue shall provide for free flow of traffic in all directions. This will require additional right-of-way in the vicinity of the intersection.
 - f. Perimeter dedications will be made, as necessary and recommended by the County to serve adjacent properties.
 - g. Indian School Road from 339th Avenue westerly for 1½ miles and 339th Avenue from Indian School Road south to Interstate 10 shall be widened and improved as part of Phase I.
 - h. Belmont Parkway from Indian School Road to Interstate 10 shall be completed with the necessary interchange at 347th Avenue at commencement of Phase II.
 - i. The master developer shall make arrangements for completion of all necessary fire stations concurrent with development in the applicable service area. Compliance shall be documented by the fire district/service provider and filed with Maricopa County.
 - j. The fence along the Central Arizona Project Canal shall not be removed.

- k. Development phasing shall adhere to a land use implementation schedule providing: 10.5 acres of commercial property, 8 acres of industrial property and 5 acres of public/quasi-public property per 1,000 projected population. Verification of compliance shall be provided to Maricopa County by the master developer prior to commencement of subsequent phases.
- l. Water usage shall be limited to 140 gallons per person, per day for the entire project. Water usage at this level shall be verified by the master developer for each phase prior to approval of any zoning for subsequent phases. Verification of compliance shall be provided by the master developer to the Maricopa County Planning and Development Department.
- m. A detailed schedule of anticipated development within a five (5) year period shall be provided at the time of preliminary platting.
- n. Gross residential densities shall not exceed the following target densities within the residential land use categories:
- Rural residential/high density: 0.6 dwelling units per acre.
 - Suburban residential: 1.5 dwelling units per acre.
 - Urban residential/very low density: 3.0 dwelling units per acre.
 - Urban residential/low density: 6 dwelling units per acre.
 - Urban residential/medium density: 10.0 dwelling units per acre.
 - Urban residential/high density: 16 dwelling units per acre.
- Demonstration of compliance with the target densities shall be provided on all final plats.
- o. A detailed financing plan shall be submitted to the Maricopa County Planning and Development Department at time of rezoning and preliminary platting.
- p. The master developer shall submit a written report to the Commission outlining the status of this development every five (5) years following approval of this request by the Board of Supervisors. The status report shall include location of approved rezoning, location of developed parcels, location of parcels under construction, location of parcels sold to other developers, status of infrastructure development, current project density using both constructed and approved dwelling units, locations of any amendments made to the Master Plan, status and ratio of non-residential property, and any other information as requested by Maricopa County unless or until a development agreement between the master developer and Maricopa County is completed and signed by both parties.
- q. All development will be subject to the Maricopa County Subdivision Regulations in effect at the time of platting. In addition, roadway classifications, roadway design criteria, and roadway construction requirements shall conform to applicable Maricopa County standards in

effect at the time of each zoning application unless modified by the adopted development agreement.

- r. All future rezoning applications for non-residential development will require a Planned Development (P.D.) overlay.
- s. The master plan shall be developed sequentially as depicted on the Phasing Prototype Map, Exhibit 3-20. Any change to the order of the phases of the project will require review and approval by the Planning and Zoning Commission and the Board of Supervisors.
- t. The master developer shall be responsible for the installation of all major elements of infrastructure including major street improvements, domestic water and sewer systems and drainage/flood control improvements in accordance with the Maricopa County standards in effect at the time of platting.
- u. MITIGATION FOR SHORT TERM AIR QUALITY IMPACTS

The following mitigation measures will be implemented during construction to reduce short-term air quality impacts of the project:

1. Master developer shall obtain an approved earth-moving permit from the Maricopa County Environmental Services Department.
2. All installation permits, operating permits, earth moving equipment permits and other permits required by law will be duly obtained and the requirement thereof will be satisfied. Proof of compliance with this stipulation shall be provided to the Maricopa County Planning and Development Department as the permits are obtained.

MITIGATION FOR LONG TERM LOCAL AIR QUALITY IMPACTS

The Master Developer agrees to implement the following transportation demand and system measures to reduce vehicle miles traveled within the Belmont Area:

1. Traffic signals will be timed according to Maricopa County requirements. An underground conduit system (or comparable technology) shall be provided within those rights-of-way identified by the Maricopa County Department of Transportation to integrate traffic signals and for future intelligent transportation system uses.
2. Left turn signals will be provided at key intersections to maximize traffic flow.
3. Prior to approval of initial rezoning, the master developer shall prepare a comprehensive multimodal transportation and circulation

plan for the Belmont Development Master Plan, which addresses conveyances such as bicycles, pedestrians, golf carts, and equestrian. Also prior to approval of initial rezoning, this plan shall be submitted to and approved by the Maricopa County Department of Transportation. In addition, the master developer shall include bicycle lanes on all arterial and collector road alignments, and a bicycle circulation plan shall also be provided to, and approved by, the Maricopa County Department of Transportation with each identified phase of development. A master plan for pedestrian paths shall also be provided to, and approved by, the Maricopa County Department of Transportation with each identified phase of development.

4. Bicycle facilities, including shaded areas and bicycle lockers, will be provided at each Multi-Use Center, and are subject to review and approval by the Maricopa County Department of Transportation.
5. Maps of existing and planned bicycle and pedestrian paths and facilities shall be made permanently available for public viewing at all public libraries and community centers in the Belmont Development Master Plan
6. The master developer shall provide neighborhood access to commercial and, where feasible, industrial areas via open space, pedestrian paths, bicycle paths, or other non-arterial street connections. Such access shall be specifically identified on all plats and precise plans of development.
7. The Master Developer will design Belmont to facilitate future transit usage by providing for safe and secure bus stops including turnout lanes in residential, industrial and commercial areas per the requirements of the Maricopa County Department of Transportation. Further, prior to approval of initial rezoning, the master developer shall meet as necessary with the Regional Public Transportation Authority or equivalent public transportation agency to discuss possible future public transit facility needs to ensure that the Belmont DMP can accommodate anticipated future transit facilities. A memorandum of understanding (MOU) signed by both the Belmont master developer and the Regional Public Transportation Authority or equivalent transportation agency summarizing the results of these discussions shall be submitted to Maricopa County Planning and Development. Based on the MOU, public transit facilities shall be identified on plats.
8. Employers will be encouraged to provide bicycle storage, locker and shower facilities for employees. Applications for precise plans of development shall identify such facilities.

MITIGATION MEASURES FOR LONG TERM REGIONAL AIR QUALITY IMPACTS

The Master Developer agrees to implement the following transportation demand measures to reduce air emissions from trips and vehicle miles traveled between the project area and other regional destinations.

1. The Belmont master developer shall be responsible for providing transit and alternative transportation information to residents via an annual newsletter or equivalent method approved by the Maricopa County Planning and Development Department. Copies of such information shall be provided to the Maricopa County Planning and Development Department.
2. The Master Developer will provide a Park and Ride lot system to coincide with the phasing of development at Belmont utilizing the Multi-Use Centers and other appropriate locations throughout Belmont. Park and ride lots, bus terminals, and other mass transit facilities shall be identified on all precise plans of development and plats.
3. Each commercial, industrial, and multi-use center development providing over 50 parking spaces will assign at least 15 percent of the spaces to priority parking for car pools. Such spaces shall be identified on all precise plans of development.
4. Free parking for automobiles, and bicycles, and other personal vehicles will be provided at park and ride facilities to encourage multi-occupancy vehicle use. Notes confirming compliance with this stipulation shall be included on all precise plans of development and plats.

IMPLEMENTATION OF AIR QUALITY MITIGATION MEASURES

At the time the individual parcels of the Belmont Development Master Plan are submitted for rezoning and/or subdivision approval, the master developer shall be required to specify in detail how the above referenced air quality mitigation measures will be implemented and enforced in conjunction with the Project seeking the zoning and/or subdivision approval.

The County Health Department shall be notified in conjunction with each request for zoning and/or subdivision approval and provided an opportunity to review and comment on the implementation of the specific air quality mitigation implementation to ensure such measures are in compliance with

the air quality mitigation measures submitted in conjunction with the Belmont Master Plan approval and referenced herein.

- v. The bridge and interchange at 347th Avenue or 355th avenue, as determined by the Maricopa County Department of Transportation, must be built prior to the 339th Avenue Bridge reaching capacity.
- w. Prior to approval of initial rezoning, the master developer shall enter into a development agreement with Maricopa County. Further, prior to any rezoning approval this development agreement shall be signed by both parties and provided to the Maricopa County Planning and Development Department for public record.
- x. The initial final plat for phase one (1) shall occur within nine (9) years of Board of Supervisors approval of the revised Belmont Development Master Plan stipulations. If final platting has not occurred within this timeframe, the Belmont Development Master Plan shall be scheduled for public hearing by the Maricopa County Board of Supervisors, upon recommendation from the Maricopa County Planning and Zoning Commission, for possible revocation. If revoked, future action regarding the Belmont Development Master Plan would then require application for a new development master plan and would be subject to Board of Supervisors approval.
- y. If required by the Arizona Department of Water Resources, prior to approval of any rezoning the master developer shall update the preliminary groundwater resources evaluation study dated October 1989. Among other items, the updated study should examine expected aquifer production capabilities, impacts to adjoining aquifers, aquifer replenishment, and an analysis of the cumulative impacts of water withdrawal on the surrounding region. The study shall be approved by the Arizona Department of Water Resources. Maricopa County may require changes consistent with the recommendations by the Arizona Department of Water Resources, but may not require any changes beyond the water resource related recommendations made by the Arizona Department of Water Resources.
- z. If required by the Maricopa County Environmental Services Department, prior to approval of any rezoning the master developer shall update and, if necessary, revise the Belmont Development Master Plan Master Wastewater Study dated June 13, 1991. Based on the update results, Maricopa County reserves the right to require changes to the infrastructure plans to reflect updated conditions.
- aa. If required by the Maricopa County Environmental Services Department, prior to approval of any rezoning the master developer shall update and,

if necessary, revise the Belmont Development Master Plan Master Water Study dated June 13, 1991. Based on the update results, Maricopa County reserves the right to require changes to the Belmont infrastructure plans to reflect updated conditions.

- bb. If required by the Flood Control District of Maricopa County, prior to approval of any rezoning the master developer shall update and, if necessary, revise the Belmont Development Master Plan Master Drainage Study dated June 13, 1991. Based on the update results, Maricopa County reserves the right to require changes to the drainage solutions for the Belmont Development Master Plan to reflect updated conditions. The master developer will be allowed to transfer density within the project to accommodate unforeseen drainage and flood control issues.
- cc. If required by the Maricopa County Department of Transportation, prior to approval of initial rezoning the master developer shall update the Belmont Development Master Plan Transportation Master Plan dated August 1990, and shall submit updates prior to commencement of each subsequent phase. The update should contain an analysis of the fiscal impact of the necessary transportation infrastructure, including funding for improvements and future maintenance. In addition, if required by the Maricopa County Department of Transportation, prior to any rezoning the master developer shall prepare and submit to the Maricopa County Department of Transportation for approval a regional transportation study for the area. This study should analyze and evaluate the transportation impacts of the Belmont Development Master Plan on the regional transportation system, with the impact area being determined by the Maricopa County Department of Transportation. This study should also address development phasing and the respective regional infrastructure improvements necessary to support each phase. Further, prior to approval of any rezoning the master developer shall agree to pay their necessary and pro-rata share of the regional fiscal impact costs of transportation facilities identified in the regional transportation model and as included in the development agreement.
- dd. For streets within the development, the average daily traffic (ADT) on the street segments shall not exceed the threshold ADT values defined in the Maricopa County Department of Transportation Roadway Design Manual. If the ADT attributable to Belmont on a street segment exceeds this threshold value, a parallel roadway facility, to the segment under consideration, shall be required at the discretion of the Maricopa County Department of Transportation.
- ee. All-weather access shall be provided to all parcels and on all arterial roadways.

- ff. A minimum of two access points shall be provided and available to each subdivision unit.
- gg. Street light installation shall be the responsibility of the master developer. A street lighting improvement district, or comparable authority, shall be established to provide operation and maintenance.
- hh. Prior to approval of any rezoning, and if required by the Maricopa County Environmental Services Department, a Maricopa Association of Governments (MAG) Air Quality Conformity Analysis shall be completed by the applicant and analyzed by MAG and Maricopa County to determine regional impacts and any necessary mitigation measures. Based on the results, Maricopa County and the master developer will address any necessary mitigation measures. Any mitigation measures taken will not affect approved densities for the Belmont Development Master Plan.
- ii. Prior to approval of any rezoning, an archaeological survey of the Belmont Development Master Plan property shall be conducted to locate and evaluate any existing cultural resources that may be present. Once the survey has been completed, a copy of the report shall be provided to the Arizona State Historic Preservation Office for review and comment. If historic or significant sites are identified within the project area, it may be necessary to have archaeological testing performed at the sites to evaluate their eligibility for inclusion in the National or State Register of Historic Places. If Register-eligible properties cannot be avoided by development activities, then the Arizona State Historic Preservation Office shall determine if a data recovery (excavation) program is necessary. If federal permit(s) are required for any development, then any archaeological work performed must meet the Secretary of Interior's standards.
- jj. If requested by the Arizona Game and Fish Department, prior to approval of initial rezoning the master developer shall work with the Arizona Game and Fish Department to help quantify potential impacts to wildlife in the Belmont Development Master Plan region, and work with the Arizona Game and Fish Department to develop a mitigation plan to offset potential adverse impacts to wildlife resulting from the proposed development. This mitigation plan shall be provided to the Maricopa County Planning and Development Department for public record, and all rezonings must demonstrate conformance with the approved mitigation plan unless deemed redundant due to the 404 permitting process.
- kk. The master developer shall notify all future Belmont Development Master Plan residents that they are not located within an incorporated city or town, and therefore will not be represented by or be able to petition a citizen-elected municipal government. Further, residents will not have access to municipally managed services such as police, fire, parks, water,

wastewater, libraries, and refuse collection. Such notice shall be published on all final plats, be permanently posted on the front door of all home sales offices on not less than an 8½ inch by 11 inch sign, be included in all home sales material, and be included in all homeowners association covenants, conditions, and restrictions (CC&Rs).

- ll. Prior to approval of any rezoning, the master developer shall initiate discussions with the appropriate public school district(s) to address service and facility needs. Any formal agreements signed by both the master developer and the school district(s) shall be provided to the Maricopa County Planning and Development Department for public record.
- mm. Not less than 2,059 acres of the Belmont Development Master Plan shall be set aside for commercial-type development, as identified in the Belmont Development Master Plan narrative report. To help ensure compliance, the total acres of such land use shall be included on all plats. In addition, at the time of each preliminary plat or precise plan submission, the master developer shall submit a description of the status of the cumulative commercial-type development land use acreage with respect to the minimum 2,059-acre requirement.
- nn. Not less than 1,249 acres of the Belmont Development Master Plan shall be set aside for industrial-type development, as identified in the Belmont Development Master Plan narrative report. To help ensure compliance, the total acres of such land use shall be included on all plats. In addition, at the time of each preliminary plat or precise plan submission, the master developer shall submit a description of the status of the cumulative industrial-type development land use acreage with respect to the minimum 1,249-acre requirement.
- oo. Not less than the following of the Belmont Development Master Plan shall be set aside for park and recreation, as identified in the Belmont Development Master Plan narrative report:
 - 413 acres for neighborhood parks
 - 226 acres for playfields
 - 228 acres for playgrounds
 - 760 acres for community parks
 - 20 acres for indoor recreation
 - 6 public swimming pools
 - 54.5 acres for sports complex
 - 872 acres for usable retained open space

To help ensure compliance, the total acres of each of these land uses shall be included on all plats. In addition, at the time of each preliminary

plat submission, the master developer shall submit a description of the status of the cumulative land use acreage with respect to the minimum acreage requirement for each of these land uses.

- pp. Not less than 838 acres shall be set aside as natural open space. To help ensure compliance, the total acres of such land use shall be included on all plats. In addition, at the time of each preliminary plat submission, the master developer shall include a description of the status of the cumulative natural open space acreage with respect to the minimum 838-acre requirement.
- qq. All park and recreation facilities shall be completed concurrent with development in the applicable service area. Park facilities shall be identified on all applicable plats, and park amenities will be subject to review by the Maricopa County Planning and Development Department.
- rr. Prior to filing applicable preliminary plats, the master developer shall submit a landscape inventory and salvage plan which identifies and assesses the native trees and cacti within the applicable parcels, and which determines the preservation and disposition for each of the selected trees, plants, and cacti. The salvage plan shall be in accordance with state laws in effect at the time of plat submittal.
- ss. The master developer or similar entity shall be responsible for construction and maintenance of public open spaces and facilities; washes; parks; roadway median landscaping; landscaping within the public rights-of-way; pedestrian, bicycle, and equestrian paths. Should the Belmont Development Master Plan be incorporated, responsibility for maintenance of the above mentioned facilities shall be the responsibility of the annexing city or newly created municipality.
- tt. All irrigation of common areas, golf courses, and lakes over ten (10) acres in size shall be done entirely with a renewable water supply when sufficiently available. A report identifying when a renewable water supply will be available shall be submitted to the Maricopa County Planning and Development Department prior to approval of initial rezoning. Notes testifying to compliance with this stipulation shall be placed on all plats.
- uu. No development shall be permitted on hillside slopes of greater than 15%. Building envelopes shall be required for all development in areas of 10% to 15% slope. Building envelopes are to designate the area that may be disturbed for all residential structures and amenities. The balance of the lot outside this envelope shall be retained in its natural state.
- vv. Prior to approval of the first final plat, the master developer shall provide Maricopa County with the appropriate documentation—as identified by the Maricopa County Planning and Development Department—of their intent to form a community facilities district that encompasses the entire Belmont

Development Master Plan. This district shall be formed for the purpose of financing the following public infrastructure:

1. Sanitary sewage systems, including collection, transport, storage, treatment, dispersal, effluent use and discharge.
2. Drainage and flood control systems, including collection, transport, diversion, storage, detention, retention, dispersal, use, and discharge.
3. Water systems for domestic, industrial, irrigation, municipal and fire protection purposes including production, collection, storage, treatment, transport, delivery, connection and dispersal.
4. Highways, streets, roadways and parking facilities including all areas for vehicular use for travel, ingress, egress and parking.
5. Areas for pedestrian, equestrian, bicycle and other non-motor vehicle use for travel, ingress, egress and parking.
6. Pedestrian malls, parks, recreational facilities, and public open space areas.
7. Landscaping including earthworks, structures, lakes and other water features, plants, trees and related water delivery systems.
8. Public buildings, public safety facilities and fire protection facilities.
9. Lighting systems.
10. Traffic control systems and devices including signals, controls, markings and signage.
11. School sites and facilities if agreed to and with the consent of the applicable school district(s).
12. Equipment, vehicles, furnishings and other property related to the items listed in this paragraph.

Formation of the district shall occur prior to issuance of any building permits.

ww. Development of the Belmont Development Master Plan shall also be in concert with the following stipulations:

- The Glendale Avenue and Olive Avenue street alignments will generally be maintained along the east-west section line through the project and will be shown connecting to Sun Valley Parkway to the east. It is anticipated that there will be low level water crossings across the Hassayampa River of these locations.

- The 339th Avenue and 363rd Avenue street alignments will generally be maintained along the north-south section line through the project.
 - The Northern Avenue street alignment will generally be maintained along the east-west section line and will be shown connecting to Sun Valley Parkway to the east.
18. *January 17, 2006:* Applicant files request for an amendment to the Belmont DMP
 19. *March 21, 2006:* Case is discussed at a technical advisory committee (TAC) meeting. Due to the scope of comments, a second TAC meeting is required.
 20. *July 28, 2006:* Case is discussed at a second TAC meeting.

Background and Description of Proposal:

21. This request is for approval of a major amendment to the existing Belmont DMP. Among the important changes, the applicant proposes to significantly realign the planned arterial and collector road system, revise the proposed land use plan, and add approximately 4,000 acres of land, most of which is currently administered by the Arizona State Land Department. If approved, Belmont would expand to approximately 24,800 acres.
22. The amended Belmont DMP includes significant changes to the land use plan. If approved, these changes will add approximately 18,000 additional residential units (30% increase) and increase its size approximately 19%. Other important changes include increasing the number of open space acres by approximately 25% and the number of acres designated for commercial, non-retail employment, and mixed-use by approximately 6%. A summary of these changes is included in **Table 1**. With this expansion, it is estimated that, upon completion, Belmont will include approximately 212,000 residents.

| Table 1: Belmont DMP Changes | | | |
|-----------------------------------|--------------|------------------|------------|
| | Acres | | % Increase |
| | Existing DMP | Proposed Changes | |
| Residential | 14,785* | 17,294 | 17% |
| Schools | | 442 | |
| Public Facilities | | 135 | |
| Commercial, Industrial, Multi-Use | 3,308 | 3,510 | 6% |
| Open Space | 2,712 | 3,392 | 25% |
| Residential Units | 60,306 | 78,491 | 30% |

* includes schools

23. Most of the approximately 4,000 acres of land being added to Belmont is along Interstate 10 between the 331st Ave. alignment and the 371st Ave. alignment. This additional land is identified for various uses including small lot, medium, and high density residential, and commercial and employment uses of varying intensities. Staff notes that since initial DMP approval in 1991, the land use categories and respective densities and intensities used for development master plans have changed, meaning most of the land use categories associated with this request now reflect current county requirements. The revised land uses are accompanied by changes in the roadway network to serve Belmont more efficiently, recognizing that crossings of the Hassayampa River will be necessary.
24. Belmont is located approximately 35 miles west of Phoenix in west-central Maricopa County, and is adjacent to portions of the Town of Buckeye on the north and east. Much of the area to the north, south, and west of the project is currently vacant. However, there are several master planned communities located close to Belmont in the Town of Buckeye. Most of these are located along the Sun Valley Parkway with the exception of the approximately 34,000 acre Douglas Ranch master planned community located immediately north. Currently planned for approximately 83,000 residential units, Douglas Ranch will have a significant impact on planning and development related issues in this region. Also adjacent to Belmont is the proposed Hassayampa Ranch DMP. Currently pending consideration in Maricopa County, this approximately 2,066 acre project will contain as many as 5,707 residential units if approved. Another DMP pending consideration – Desert Whisper – is located immediately west of Belmont. Desert Whisper proposes 2,943 residential units on approximately 960 acres. Finally, immediately south of Belmont is another DMP pending consideration. Known as “339th Avenue and Interstate 10,” if approved this 1,290

acre DMP will include up to 4,276 residential units. Combined, the Belmont, Douglas Ranch, Hassayampa Ranch, Desert Whisper, and 339th/I-10 DMPs total approximately 174,350 residential units and will generate a population of approximately 470,000 residents, which is currently larger than the population of the City of Mesa.

25. The Belmont property is currently undeveloped desert zoned Rural-43 and Rural-190. Jackrabbit Wash is the principal on-site watercourse which merges with the Star Wash north of the CAP Canal and flows south to the Hassayampa River adjacent to Belmont. Jackrabbit Wash is the largest wash on the property where widths range from 600 feet to over 2,000 feet and has peak flows of approximately 45,000 cubic feet per second (cfs) in the 100-year, 24-hour storm. Much of the area's watershed flows to this wash. Three other named washes – Phillips, Coyote, and Four Mile Wash – also cross the site and generate peak flows ranging from 600 to 4,000 cfs. Nine other smaller, unnamed washes also cross the site. Several washes may require modification to provide flood protection, and several also meet the Army Corp of Engineer's 404 requirements and will be preserved.
26. Besides numerous washes, Belmont also includes several important features, including Flatiron Mountain in the northwest portion of the site. This former volcano rises approximately 450 feet abruptly and includes some of the steepest slopes on the site. Other prominent features include numerous hills and rock outcroppings in the northeast and eastern portions of the site where slopes also exceed 25% in some areas. Immediately northwest of the project are the Belmont Mountains which rise to over 2,000 feet and play a significant role in the region's drainage patterns. Areas around these features range in slope from 5% to greater than 25%. Most of the remaining site is less than 5% slope. The highest point on the site (Flatiron Mountain) is at an elevation of 1,965 feet, while the lowest elevation point (south of Interstate 10) is 1,075 feet. The applicant's narrative states that there are no recorded faults or fissures in this area.
27. The existing landscape is native desert, and it is the intention of the master plan to protect significant desert vegetation and those protected by state statute. Formal landscape and irrigation plans will be submitted at the time of platting. Through this, the applicant anticipates using a hierarchy of plant materials whereby the town center and 347th Avenue will contain lush vegetation, while other villages will contain more native landscape requiring lower water use. It is intended that effluent water will be reused where available and feasible on major parks, lakes, and golf courses.
28. With respect to on-site archaeological resources, the applicant notes that in 1988, the Bureau of Land Management (BLM) conducted a sample survey for a larger land exchange project. Twenty-three sites of potential archaeological

significance were discovered on the Belmont property, along with two other previously discovered sites. All sites were determined to be eligible for the National Register of Historic Places; four of these as individual sites. These four sites were mitigated through data recovery, and the State Historic Preservation Office (SHPO) issued a letter stating that the land exchange project should have no adverse impact on any eligible properties. The applicant has submitted a cultural resources inventory to SHPO for review. SHPO generally agrees with the report's findings, but has concerns regarding the applicant's use of historic context studies, and that besides Indian School Road no prehistoric or human transportation trails were discovered on site (see attached SHPO letter).

29. The predominant land use for Belmont is residential, with approximately 17,300 acres designated for various housing product. Land use densities range from Large Lot Residential (1-2 du/ac) on several parcels in the east, up to and including Small Lot Residential (2-5 du/ac), Medium Density Residential (5-15 du/ac) and High Density Residential (15+ du/ac) throughout the project. Residential development is also expected within the Mixed Use parcels located near the center of Belmont. Approximately 86% of the residential acreage is Small Lot Residential, and accounts for approximately 60% of the entire project. **Table 2** provides a summary of each residential category.
30. The applicant notes that commercial facilities will occur as the market dictates. It is anticipated that initial commercial development will primarily serve neighborhood and community retail needs, with larger regional retail following in later phases. Neighborhood retail parcels are placed throughout the project, while community commercial parcels are intended to serve as "Village Centers." Regional retail centers are located near the center of the project and along Interstate 10. In total, the amended Belmont DMP would include approximately 1,808 acres of commercial land use not including retail commercial that may develop in the mixed use parcels. **Table 3** provides a summary of the proposed land uses within the project.
31. With respect to employment, the applicant states that the main employment core will occur in the town center, which will contain primarily office-type employment within professional and mixed-use buildings. This core is located near the center of Belmont and is identified in the land use plan as Mixed-Use. The applicant notes that the intention of the Mixed Use core is to provide an opportunity for residents to live, work, shop, and recreate in a cohesive environment. It is also intended to be the focal point for the community and provide an opportunity to create an urban atmosphere similar to Old Town Scottsdale or Mill Avenue in Tempe. This concept will include stores, dining, and entertainment incorporated into office and residential loft living spaces via vertical structures.

Table 2: Residential Acres and Units by Category

| Category | Acres | Total Units | Density |
|---|--------|-------------|------------|
| Large Lot Residential (0-1 du/ac) | 445 | 445 | 1 du/ac |
| Small Lot Residential (2-5 du/ac) | 14,815 | 51,853 | 3.5 du/ac |
| Medium Density Residential (5-15 du/ac) | 1,625 | 10,961 | 6.75 du/ac |
| High Density Residential (15+ du/ac) | 409 | 7,360 | 18 du/ac |
| Mixed Use | 984 | 7,872 | 8 du/ac |

Table 3: Belmont DMP Land Use Summary

| Land Use Category | Acres | % of Total |
|-----------------------|--------------------------|--------------------|
| Residential | 17,294 | 70% |
| Large Lot | 445 | 2% |
| Small Lot | 14,815 | 60% |
| Medium Density | 1,625 | 7% |
| High Density | 409 | 2% |
| | | |
| Retail | 1,808 | 7% |
| Regional Retail | 1,065 | 4% |
| Community Retail | 599 | 2% |
| Neighborhood Retail | 144 | 1% |
| | | |
| Employment* | 1,702 (1,043 emp) | 7% (4% emp) |
| Mixed Use** | 984 (325 emp.) | 4% (1.3% emp) |
| Mixed Use Employment | 718 | 3% |
| | | |
| Other | 3,968 | 16% |
| Open Space & Parks*** | 3,392 | 14% |
| Schools | 442 | 2% |
| Public Facilities | 134 | <1% |

* only a portion of the mixed use is planned for non-retail employment.

** based on the assumption of one-third planned for non-commercial and non-residential uses

*** does not include 300 acres of future mini-parks

32. Additional employment will occur in several Mixed Use Employment parcels near Interstate 10. Employment uses near Interstate 10 will likely be included in business, office, and industrial parks. During initial stages of development the applicant explains that emphasis will be on attracting office park development to establish a foundation for growth during later stages. It is believed that growth over time will help establish Belmont as a regional-serving suburban core for a range of industrial and business park facilities, and mid-rise office development. The Mixed-Use and Mixed-Use Employment parcels account for approximately 7% of the Belmont DMP. However, to ensure that the Mixed-Use town core does indeed develop as directed by the Maricopa County Development Master Plan Guidelines, staff is recommending a stipulation that requires a portion of the mixed use center be set aside for professional and semi-professional employment uses.
33. The applicant also identifies that existing employment opportunities occur within the Town of Buckeye, with the Arizona Department of Corrections, and other private employers in the area. Future employment opportunities are also planned in nearby master planned communities in Buckeye, and surrounding the Buckeye Airport. The applicant believes that as Belmont and the region grow and mature, this project can play an important role in the region's job market. Further, the applicant notes that Belmont's success as a master planned community will rely on providing on-site opportunities for professional services, research & development, office, incubator, flex-tech, warehouse/distribution, and light manufacturing employment.
34. The applicant identifies that the overall concept for residential development is through several communities each consisting of a series of "villages" that will be developed under an overall unifying theme based on market segments. All residential development is planned as multi-generational, meaning that active adult (i.e. retirement) components will not be included. The applicant has identified a "Village Plan" that will serve as functional units within the greater Belmont development. Each of the 25 villages will have its own land use mix, character, and lifestyle theme, yet will be unified through a cohesive community design theme. The applicant asserts that the land use mix will provide an appropriate range of residential product and service levels for the various land use types. The character and theme of each village will depend on various factors and considerations.
35. The applicant states that a full range of community facilities have been planned as part of the Belmont project. These include police and fire stations, libraries, community centers, power substations, and other similar facilities. As development progresses, other public administrative and judicial facilities could be incorporated into the project.

36. Numerous schools are planned for the Belmont project. Based on requests from the Saddle Mountain School District, the applicant will reserve twenty-one K-8 schools and three high schools. Each K-8 school will be approximately 12 acres in size while each high school will be approximately 50 acres in size. As part of school system, the applicant is proposing that public library facilities be incorporated into the high schools. The Maricopa County Library District has met with the applicant and the Saddle Mountain School District regarding this concept, and all the parties have agreed to work together to develop joint public/school libraries at the three high school sites. Each facility would be separate buildings with dedicated parking, and operated by the Maricopa County Library District, or via a long-term lease to the school district. In addition, a smaller 15,000 sq. ft. stand alone facility will be built in Village 1 and 2. The library district is currently formalizing an intergovernmental agreement that will cover these and other issues.
37. Belmont includes approximately 3,392 acres of open space and park facilities. Of this, 2,500 acres are identified for dedicated/non-developable open space within scenic areas, mountain preserves, and washes. Primary elements of the non-developable open space system include Jackrabbit Wash, the CAP Canal corridor, portions of Flatiron Mountain, and a system of existing and planned minor wash/open space areas. Another approximately 900 acres are identified for recreational open space which will include golf courses, neighborhood and community parks, and ball fields. Twenty five neighborhood parks, each 15 or more acres in size, are located within a ½ mile radius of each other, and 12 community parks, each 25 or more acres in size, are within a two mile radius of each other. Each will include various amenities typically found in similar types of parks. In addition, it is anticipated that 300 mini-parks, each 1 acre in size, will be located throughout the project. The applicant intends to distribute recreational facilities throughout the project, with particular emphasis on concentrating open space recreational facilities within the interconnecting open space.
38. The applicant identifies that a Community Association Management (CAM) will be established to help manage community and open space facilities. The master developers have planned a series of meetings to design and execute the hierarchy of governance necessary to maintain control of and protect common facilities and manage overall growth. The result will be an extensive CC&Rs document that will establish master and sub association levels.
39. The applicant states that phasing for Belmont will occur as market conditions dictate, but that construction will start in late 2007 or early 2008. The narrative report identifies 24 phases that generally proceed from south to north, except for the final phases near Interstate 10. No information has been provided

regarding the length of time that Belmont will be under construction, nor the anticipated schedule for each phase.

40. Given the size of Belmont, and that at completion this DMP will generate approximately million daily vehicle trips, the transportation system will be an important part of overall project design. The applicant maintains that, where feasible, the arterial grid system has been preserved and provides multiple north/south and east/west access routes. Primary access will be via interchanges at 339th Avenue and 347th Avenue. Traffic interchanges at 355th and 363rd Avenues may be needed in the future if updated traffic studies warrant.
41. There are several existing road easements through the project. These include a 110' right-of-way for Wickenburg Road from the CAP Canal to Bethany Home Road, a 150' right-of-way on the 339th Avenue alignment, an 80' county road easement along Indian School Road, and other on-site easements ranging from 66 to 80 feet on the project site. A complete list of MCDOT road network stipulations is included in this report.
42. Belmont's major corridors have been developed on section lines and on alignments that respond to natural features and land use patterns. Two major north/south corridors are identified along Belmont Parkway (347th Avenue) and 339th Avenue. Given the uncertainty regarding a future freeway alignment through Belmont, the applicant has preserved two 300' corridors along both alignments while MAG concludes its regional roadway framework study. Once a determination is made, the remaining arterial will be reduced to accommodate a super arterial street. The major east/west arterial will be Northern Avenue which intersects Belmont Parkway at the town center.
43. Several major east/west arterials are identified that can cross the Hassayampa River and connect to the Sun Valley Parkway. The applicant notes that future river crossings will need to be coordinated with MCDOT and the Town of Buckeye. The applicant intends to maintain the Bethany Home Road and Olive Avenue alignments to facilitate future connections to the Sun Valley Parkway which may be completed by Maricopa County or other developers. The applicant also anticipates that Maricopa County may install low-level river crossings at these locations. Other all-weather or low-level river crossings may occur along Cactus Road, Northern Avenue, and Camelback Roads. However, the pending MAG framework study will identify any additional and preferred river crossings. The applicant contends that because many of the planned east/west connections are not accommodated in master planned communities along the Sun Valley Parkway, this represents a barrier to continuous access.
44. Besides vehicle circulation, pedestrian circulation will be included in Belmont's design. Pedestrian facilities will consist of two primary elements: trails and sidewalks. An exclusive pedestrian walkway extending over 50 miles through the

project's open space system will link the community. Sidewalks adjacent to the proposed street system will also be available for pedestrian use. Design will be 'back of curb' or 'meandering' depending on location.

45. The applicant identifies that water and wastewater service will be provided by Global Water Resource, LLC. The proposed water distribution will include ground wells, booster pumps, storage tanks, and distribution mains. The wastewater collection system includes water reclamation facilities and three wastewater lift stations. The applicant notes that Global is in the process of filing an application with the Arizona Corporation Commission for a CC&N for water service. The applicant also notes that Global has submitted an application for a MAG 208 amendment to the Maricopa County Environmental Services Department seeking a letter of no objection prior to formal submittal to MAG. However, it is important to note that in order for the applicant to receive approval from Maricopa County for the MAG 208 amendment, the Town of Buckeye must provide a letter of no objection to Maricopa County. To date, Maricopa County has not received the required letter of no objection, nor has Buckeye indicated that such a letter is even forthcoming. Therefore, under current regulations absent approval of the MAG 208 amendment neither an amended Belmont DMP nor even the existing Belmont DMP will have a sewer service provider or an approved CC&N for water service.
46. The applicant's narrative identifies that the status of fire protection is still undecided. The applicant has met with both the Tonopah Valley Fire District and Rural Metro Corporation to discuss how each provider would service the project. As of this staff report, the applicant has not provided information regarding which provider will ultimately serve this project.
47. The applicant's narrative states that the Maricopa County Sheriffs Office (MCSO) will provide law enforcement protection for Belmont. Based on conversations with the MCSO, the applicant states that the MCSO anticipates the need for a five acre site for a substation, as well as a second smaller 15,000 sq. ft. facility. The applicant notes that the MCSO has requested that this substation be located towards Interstate 10. Staff has received written correspondence from the MCSO identifying the fiscal impacts that this project will have on their agency, and is recommending that such issues be addressed as part of a development agreement with Maricopa County.
48. The applicant asserts that Belmont strikes a needed balance between work, recreation, retail, and educational opportunities currently lacking in the West Valley. Specifically, the applicant states that Belmont will be a benefit to the region by increasing county revenues and the county tax base, establishing a self-sufficient market separate from the Phoenix metropolitan area, providing a responsible approach to community development, restricting piecemeal development, easing the burden on built infrastructure and services, providing

an orderly and flexible decision-making system, and protecting historical and archaeological resources. Further, the applicant contends that this DMP amendment is necessary to respond to market conditions since initial approval in 1991. While many of the same concepts remain, the applicant asserts that this amendment will provide a more contemporary approach to project design to provide a self-contained community. The primary elements of this project include the following:

- Twenty-five villages to support various residential choices
- Minor commercial nodes distributed to serve immediate service area needs
- Open space that links activity centers, the town center, and residential areas
- Development of a town center to provide entertainment, civic, retail, employment, and residential uses
- Regional employment and service opportunities in a suburban environment
- Planned major transportation routes to serve the site and region

49. Besides changes to the Belmont land use plan, the applicant is also requesting changes to the existing stipulations of approval. As noted earlier, the Board of Supervisors, upon recommendation from the Planning and Zoning Commission, approved revisions to the 1991 Belmont stipulations. These stipulation changes were intended to bring them into compliance with current county standards and regulations, to address issues that were not covered with the original stipulations, and to help ensure that future enforcement of the stipulations is feasible. However, the applicant is requesting modification and deletion to a number of these stipulations. The applicant maintains that these changes are necessary based on the new land use plan. A complete list of the applicant's proposed changes is included as an attachment to this report.

Existing On-Site and Adjacent Zoning:

50. On-site: Rural-190 (north of Northern Avenue Alignment)
Rural-43 (south of Northern Avenue Alignment)
North: Rural-190 & Town of Buckeye
East: Rural-190; Rural-43; Town of Buckeye
South: Rural-43; smaller parcels of miscellaneous zoning
West: Rural-190; Rural-43

Existing On-Site and Adjacent Land Use:

- 51. On-site: Vacant; natural desert
- North: Vacant; natural desert (pending Douglas Ranch DMP in Town of Buckeye)
- East: Hassayampa River; Town of Buckeye
- South: Vacant; natural desert; Interstate 10
- West: Vacant; natural desert; scattered single family residential

Utilities and Services:

- 52. **Water:** Issue pending
- 53. **Wastewater:** Issue pending
- 54. **Fire Protection:** Tonopah Valley Fire District or Rural Metro Corp.
- 55. **Police Protection:** Maricopa County Sheriffs Office
- 56. **Electric:** Arizona Public Service
- 57. **Natural Gas:** Southwest Gas
- 58. **Telephone:** Unknown
- 59. **Refuse:** Private contract

Reviewing Agencies: (Technical advisory committee review: March 21, 2006 and July 18, 2006)

- 60. **Department of Transportation (MCDOT):** Per August 31, 2006 memorandum, recommends approval subject to stipulations (see attached memorandum)
- 61. **Environmental Services Department (MCESD):** Per September 6, 2006 memorandum, MCESD finds that the water and wastewater solutions are technically acceptable. However, MCESD will not support the MAG 208 Water Quality Management Plan Amendment Application without a letter of no objection from the Town of Buckeye. Further, the proposed service provider cannot obtain a CC&N to serve this project without the MAG 208 approval. MCESD will not support the applicant's amendment request until MCESD is ready to support and sponsor the MAG 208 amendment. Further, MCESD will not assume the future resolution in an approval of this DMP amendment request, and thus from MCESD's perspective

without the MAG 208 approval the applicant does not have a wastewater solution for this project. Therefore, MCESD cannot allow the project to proceed at this time.

62. **Drainage Plan Review:** Per September 5, 2006 memorandum, Drainage Plan Review has received and reviewed the Master Drainage Study Report (dated 8/24/06) and requires several items be addressed prior to approval (see attached memorandum).
63. **Flood Control District (FCD):** Per August 31, 2006 memorandum, FCD has no objections to approval subject to stipulations (see attached memorandum)
64. **Maricopa County Department of Emergency Management (MCDEM):** Per memo dated September 20, 2006, MCDEM has reviewed the evacuation plan for Belmont and have no further comment (see attached memo).
65. **Maricopa County Parks & Recreation Department:** Per February 27, 2006 letter, this project will have an impact on the White Tank Mountain Regional Park through residents' use of the park. Therefore, the Parks & Recreation Department is requesting a \$250 per residential unit contribution for facilities repair and new capital improvements at the White Tank Mountain Regional Park (see attached letter).
66. **Maricopa County Parks & Recreation Department – Regional Trail:** Per February 27, 2006 letter, this project will have an impact on and benefit from the Maricopa Trail and White Tank Mountain Regional Park through residents' use of the regional trail. Recreational use of the non-motorized trail by the residents will add to operation and maintenance costs, and therefore the Parks & Recreation Department is requesting a \$250 per residential contribution for land purchase, trail design and construction, trailheads, interpretive signs, facility repair and maintenance, and new capital improvements (see attached letter).
67. **Maricopa County Library District:** Per June 5, 2006 memorandum, the Maricopa County Library District confirms that they have met with the applicant and the Saddle Mountain School District. Both the Library District and the School District agree to work together and place joint public/school libraries at three high school sites in the project. Both the library and the school district have had additional meetings to confirm these plans. It is also understood that an additional 15,000 foot stand alone facility should be built as part of the development of Village 1 and 2 (see attached memorandum).
68. **Maricopa County Sheriffs Office (MCSO):** Per February 21, 2006 memorandum, MCSO outlines the potential impacts that this project will likely have on their operations. In summary, the MCSO estimates that alone this DMP as planned could realistically require 366 law enforcement officers and 144 civilian

employees to cover the final service requirements of this development, although admittedly this is only a guide based on current information. In addition, the MCSO estimates that they will need a 48,000 net square foot facility as a substation to support law enforcement activities which, at \$177 per square foot, equates to \$8,496,000. Estimated equipment for the sworn personnel (vehicles, radios, uniforms, bulletproof vests, and computers) is approximately \$7,956,513, and projected annual personnel cost for the officers and employees is \$27,336,966. MCSO states that increased population in this project will increase calls for service, as well as the personnel required to respond and support the required law enforcement activities. The geographic boundary and cumulative total of past development in this service district continues to stretch resources, and thus raises the concern of having adequate resources to patrol this new development efficiently (see attached memo).

69. **Arizona Department of Water Resources (ADWR):** Per February 6, 2006 letter, the proposed development lies within the Phoenix Active Management Area and requires an assured water supply. A Certificate of Assured Water Supply will need to be obtained prior to recordation of final plat (see attached letter).
70. **Arizona Department of Transportation (ADOT):** Per June 20, 2006 letter, ADOT has no comment, but reserves the right to review further development plans (see attached letter).
71. **Saddle Mountain Unified School District:** Per May 16, 2006 letter, the School District provides support of the Belmont project, but will continue to work with the developer regarding additional work (see attached letter).
72. **Tonopah Valley Fire District:** Per February 26, 2006 letter, the developer will need to contact the Fire District regarding the requirements needed to serve the development. The Fire District also includes a list of stipulations needed for this project (see attached letter).
73. **State Historic Preservation Office (SHPO):** Per June 26, 2006 letter, SHPO generally agrees with the applicant's cultural resources assessment, except for two specific concerns regarding the use of historic context studies and the assessment of prehistoric trails (see attached letter).
74. **Pinnacle West Corp.:** Per June 20, 2006 email correspondence, Pinnacle West requests a stipulation that the developer be responsible for any additional Outdoor Warning Siren System needed to alert residents of an emergency at the Palo Verde Nuclear Generating Station.
75. **Luke Air Force Base (LAFB):** Per February 15, 2006 letter, LAFB states that Belmont is outside the "territory in the vicinity of a military airport" and the base

noise contours. However, Belmont is located in the vicinity of a Military Training Route, which should be acknowledged (see attached letter).

Other Agencies: This request was also referred to the Arizona State Land Department, Arizona Game & Fish Department, Arizona Department of Environmental Quality, Arizona Department of Commerce, Arizona Attorney General, Arizona Office of Homeland Security, Maricopa Association of Governments, and Town of Buckeye. To date, no comments have been received from these agencies. Staff also referred this request to the Tonopah Valley Community Council, Tonopah Area Coalition, Tonopah Residents United, and Tonopah Valley Association. These are community groups in Tonopah that represent the interests of the area's residents. To date, staff has not received information definitively stating their opinion regarding approval or denial of this amendment.

Public Participation:

76. The applicant has provided a synopsis of their public participation plan for the Commission's review. To briefly summarize, the applicant notes that they held several meetings with community organizations in Tonopah, sent notification letters to property owners within one mile of the project, and posted the site at the time of application and public hearing to notify area residents of this request. The applicant briefly identifies that public issues included new residential in a rural area, increased traffic, infrastructure improvements, and water and sewer plans. However, the public participation plan summary does not provide information regarding the details of these issues, nor how the applicant has addressed these issues where feasible. The final public participation plan is included as an enclosure with this report.

Discussion and Evaluation:

77. After much debate by both the Planning and Zoning Commission and the Board of Supervisors, the Belmont DMP was approved in May 1991. One of the most debated issues at that time was whether or not the timing for this project was appropriate. In their consideration, several commissioners and supervisors expressed concern about this project's viability given its location in relation to the Phoenix metropolitan area. By the time a second required status report was submitted in 2001, no additional entitlements had been secured or requested and, therefore, this case was brought back to the Commission because the narrative report was out of compliance with the approved DMP due to inactivity. After considering several options, the Commission directed staff to revise the approved stipulations to ensure viability, and to add additional stipulations where necessary. These changes were approved in 2004 with the understanding that market

conditions were now strong enough for Belmont to move forward towards development. But given changes in the region's development patterns, changes to Maricopa County policies and regulations, and the addition of a significant amount of State Trust land, the applicant is now pursuing a major amendment to address these changes and allow Belmont to proceed. Although it has been 15 years since initial approval of Belmont, given the current development patterns in Buckeye and the region staff does believe that development of Belmont is now viable.

78. When approved in 1991, Belmont was one of the largest master planned communities ever approved in Maricopa County. With the addition of approximately 4,000 acres of State Trust land, upon completion Belmont will be one of the largest communities in Maricopa County and Arizona with approximately 24,800 acres, over 78,400 residential units, and approximately 212,000 residents. For comparison, Belmont is nearly the size of Anthem, Sun City, Sun City West, and Sun Lakes combined, and is slightly less than the current population of the City of Chandler. Staff believes that because of its size, land uses, traffic generation, infrastructure and service needs, and potential fiscal implications, Belmont is a very complex project that will have a significant impact on this region and all of Maricopa County. This complexity is further enhanced by the need to try to anticipate and respond now to long-term impacts that may not be completely understood for decades. This situation is reflected in the number and breadth of staff's recommended stipulations outlined in paragraph #97. While unforeseen issues will arise in the future, staff believes that these stipulations are critical in helping to ensure successful growth of Belmont.
79. Having such a large master planned community in unincorporated Maricopa County could present important long-term issues and challenges for Maricopa County. One key issue is the potential fiscal impact that this project may have on Maricopa County. The 2005 U.S. Census Survey estimates an unincorporated Maricopa County population of approximately 237,000. Belmont alone would nearly double the population, thus presenting potentially significant fiscal impacts to county agencies. To help address these issues, the applicant is now required to enter into a development agreement with Maricopa County prior to any zone change which will address potential impacts. Although not likely to address all fiscal implications, staff believes that this development agreement should help alleviate impacts to Maricopa County and county taxpayers.
80. Another important long-term issue is governance and management of this community. The applicant intends to establish a master community association and sub-associations to oversee operations and facilities. While it will ultimately be the decision of future residents whether to join or become a municipality, if left unincorporated residents would not be represented by a locally elected governing body. The result would be a community greater than the size of Tempe without locally elected representation, but rather managed by a homeowners association.

Therefore, staff believes that the question of whether this is an effective and prudent way to manage such a large population should be considered.

81. Still another important long-term issue is trying to ensure that Belmont and the surrounding master planned communities are integrated and cohesive. Of particular note is the region's transportation system. As noted earlier, several master planned communities on the western edge of the Hassayampa River will include a population greater than the existing City of Mesa. When combined with the approximately 2 million residents expected in the Town of Buckeye, this region will be one of the largest (population) in the United States. It is widely agreed that the current and future capacity on Interstate 10 alone will not be sufficient to accommodate traffic for this region and areas further west. Therefore, ensuring that a functional, efficient, and seamless road network is established is very important, made even more so by the east-west constraints posed by the Hassayampa River and the White Tank Mountains. Successfully resolving this and other regional service and infrastructure issues will be difficult and complex since this area will likely build out over several decades. Given this lengthy timeframe, staff believes it is necessary to have stipulations that provide flexibility to adapt to changing conditions and to address unforeseen issues as they arise. Staff believes that the recommended stipulations will provide such flexibility.
82. Another important issue is the potential location of a future freeway through Belmont. The determination of if, where, and when a future north-south freeway is located in this region will likely be determined based on the outcome of MAG'S *Interstate 10 – Hassayampa Valley Roadway Framework Study*. This study is examining the regional road system in the west and far west valley to Tonopah to determine the future road and freeway network in this growing area. Among its components, staff understands that this study will identify a north-south freeway corridor between Interstate 10 and State Route 74, crossings of the Hassayampa River, and additional interchanges along Interstate 10. With respect to a possible north-south freeway, staff understands that alternatives being considered include the 339th Avenue or 347th Avenue alignments. Staff also understands that this study is scheduled for completion in early 2007. The applicant has preserved two 300' corridors along both alignments while MAG concludes this study. While the applicant's narrative does not discuss potential changes to the land use plan should a freeway bisect Belmont, staff believes that this may eventually alter the proposed uses in this project, especially along the chosen freeway corridor, thus necessitating future DMP amendments.
83. Given the several million new residents that are projected to live in this region and the transportation and other related impacts, staff believes it is imperative to this region and all of Maricopa County that a balanced land use pattern is established in Belmont that provides non-retail employment-related land uses. This is supported by many county planning policies, including the following:

"While development master plans vary by size and location, they should demonstrate the following features:

- *Mixed land use opportunities*
- *Employment opportunities that contribute to a community's economic base while increasing the residents to jobs balance"*

Maricopa County Development Master Plan Guidelines, P.1

"This element envisions a more efficient land use pattern for the future....In addition, housing and employment have not always been well integrated. The separation of housing and employment increases commuting time and distance, further affecting the quality of life in the county. Innovative patterns of growth are needed if the county is to continue to attract high-quality development and maintain its quality of life."

Maricopa County Comprehensive Plan, P.11

"The opportunity for residents to work close to their homes is an important objective of the DMP component. In creating a 'jobs to housing' balance, residents of the community will have a shorter commute time and distance, while having the option to use alternative modes of transportation. An economic base within the community, located in local employment centers, will result in a growing sense of community and greater quality of life...Development Master Plans should encourage small businesses within the community..."

Maricopa County Comprehensive Plan, P.24

"The better integration of land use planning with transportation planning is a principal method for achieving long term improvements in the transportation system in Maricopa County. Specifically, this means finding ways to support more efficient land use patterns related to transportation....Further, since roadway improvements alone cannot provide boundless transportation capacity into the future, actions to bring about less demand for capacity are also necessary."

Maricopa County Comprehensive Plan, P.36

"The goal of the economic development element is to: Promote a growing, balanced, efficient, and diversified economy, consistent with available resources, that enhances quality employment opportunities, improves quality of life, and is sensitive to the natural and cultural environment."

Maricopa County Comprehensive Plan, P.81

"Besides encouraging efficient growth patterns, Maricopa County also strives to achieve a balanced development pattern whereby housing and employment are more integrated rather than separated. Such integration helps reduce traffic and infrastructure costs, and makes multimodal transportation and natural resource conservation more likely."

Maricopa County Comprehensive Plan, P.83

"Eye to the Future 2020 recognizes Development Master Plans (DMP), also known as master planned communities, as a preferred type of development because of the opportunity to provide mixed land uses — an important component of the Growing Smarter requirements...As such, Maricopa County will continue to evaluate DMPs on an individual basis to determine if they provide mixed use, multimodal development opportunities as encouraged under Growing Smarter, and that they either have or will provide the necessary infrastructure and services to support urban type development."

Maricopa County Comprehensive Plan, P.93

Policy G1.3: Within Growth Areas, evaluate future urban development to determine consistency with the guidelines of the Growing Smarter Act.

Maricopa County Comprehensive Plan, P.94

"Urban growth can place heavy fiscal demands on local governments for the provision of new and expanded facilities and services....it is important for Maricopa County to be prudent in its infrastructure and service investments, and to implement strategies that will allow Maricopa County to grow in a way that minimizes fiscal impacts on current taxpayers."

Maricopa County Comprehensive Plan, P.107

Objective L2: Provide employment opportunities proximate to housing

Policy L2.1: Encourage mixed use development within future planned communities...

Objective L5: Promote master planned communities that provide a mix of housing types and land uses

Policy L5.1: Encourage the creation of master planned communities that provide a diversity of land uses.

Objective EE1: To help improve air quality, encourage mixed use development that reduces vehicle miles traveled (VMT).

Policy EE1.1: Encourage land use configurations for all new development that minimizes trip lengths and vehicle trips.

Policy EE1.2: Encourage development master plans that offer a mix of residential, commercial, employment, and community service land uses.

Policy EE1.3: Encourage a balance of employment, housing, and retail within new developments that minimizes or eliminates vehicular travel between work, home and shopping.

Objective ED2: Encourage employment opportunities proximate to housing

Maricopa County Comprehensive Plan

"Nonresidential development is an important part of community growth. A proper jobs to housing ratio helps diversity the local tax base and prevents undue tax burdens from being placed on residents."

Maricopa County Comprehensive Plan, P.112

84. The existing Belmont DMP contains 3,308 acres of "Commercial, Industrial (office) and Multi-Use" land uses, which accounts for approximately 16% of the total site area. The applicant proposes to add 202 acres (6.1% increase) of such uses as part of this amendment, bringing the total set aside to 3,510 acres. While this increase of 6.1% appears significant, this actually represents a decrease in the overall percentage of such uses. Specifically, while approximately 14% of the site would be dedicated for such uses under this amendment, approximately 16% is already dedicated for such uses under the existing Belmont DMP. Therefore, the percentage of land set aside for these uses actually decreases by about 2% while the number of proposed residential units and projected population increases by over 18,000 units (+30%) and approximately 48,600 residents respectively. In short, the increase in employment land use is not proportional to the overall increase in acres for the project which raises issues about land use balance.
85. While staff believes that the proposed 3,510 acres would be more than sufficient if this land were identified for non-retail employment, it is difficult to determine exactly how much of the project is set aside for non-retail employment uses. For instance, staff knows that approximately 718 acres are identified for Mixed Use Employment Center, which is approximately 3% of the project. Additional employment opportunities are anticipated in the approximately 984 acres of land in the mixed use center, although the exact amount is unclear. The applicant's narrative does identify that a maximum of 50% of the mixed use center has been dedicated to residential uses. Therefore, to help ensure compliance with Maricopa County standards, staff is recommending a stipulation that requires an additional

one-third of the mixed use center be allocated for non-retail employment uses to include office and related type uses. This results in approximately 4.3% of the site being set aside for non-residential and non-retail employment uses; a number that is short of Maricopa County standards, but moves this project toward a balanced position in the region. While staff recognizes that there will likely be other employment opportunities in this region, it remains unclear as to when, where, and how much will occur in the future. Given the millions of future residents that will eventually live in this region and the impacts this will have on the area's transportation system and Maricopa County as a whole, staff believes that balanced land uses will play an important part in preventing such problems from occurring. Between the applicant's proposed land use and staff's recommended stipulations, staff believes that a more balanced land use for Belmont can be achieved, and that planning Belmont for 4% non-retail (which is 7.3% of total area) and non-residential (which is 70% of total area) uses is not excessive, but rather is minimally acceptable when compared to other valley cities. For instance, 8% of Phoenix is planned for industrial and commerce development, 15% of Glendale is planned for employment uses, and approximately 27% of Tempe is planned for mixed use and industrial development.

86. Staff believes that one of the assets of Belmont is that it contains a fair amount of open space. As approved, approximately 14% of Belmont is set aside for active and passive open space. The proposed amendment would add an additional 680 acres of open space to Belmont which staff believes is a positive enhancement, although this is an increase only about 1% of total area. Staff believes that Belmont contains an adequate amount of open space, and the applicant's narrative notes that the quantity and location of planned open space meets Maricopa County's DMP Guidelines. However, staff does note that much of the area set aside for non-developable open space is within significant slope areas and within the Jackrabbit and other washes where development would be difficult or impossible anyway.
87. With respect to other public facilities, staff believes that the applicant is making good progress on resolving issues regarding the location, type, number, and size of many needed facilities. With respect to libraries, staff has received confirmation from the Maricopa Library District that they are working with the Saddle Mountain School District to site libraries at the high schools and as a stand alone facility. The Saddle Mountain School District has provided confirmation of their satisfaction with the level of commitment and support that the applicant has demonstrated during this planning process. The applicant has identified 21 K-8 schools and three high schools to serve the future population. This will likely be confirmed as part of an agreement with the school district. However, because Maricopa County does not have authority to require or enforce any agreement between the applicant and school district, the burden of implementation is on both parties. Given the importance that schools will play in this DMP, we encourage the applicant to enter

into and follow through in good faith with any necessary agreement with the school district.

88. Staff does remain uncertain regarding the adequacy of facilities for emergency response. At this point, the applicant has not selected a fire protection provider so it unclear whether an adequate number of fire stations have been considered to meet service standards. Staff is also unclear as to whether the proposed sheriff substation is adequate to meet the needs of the MCSO. However, this issue will likely be resolved as part of the required development agreement.
89. Despite wide circulation of this amendment to the Tonopah region, staff has received little input from individuals, groups, or agencies beyond those identified in this report. The technical advisory committee meetings were well attended and included representatives from some of the community groups in Tonopah. However, specific comments and recommendations have not been received.
90. While there is much to consider with respect to Belmont, staff's analysis of this request is based on whether we believe that this amendment request represents an improvement to the existing Belmont DMP. Staff focused primarily on whether the additional acreage, changes in land use, and the existing and applicant's proposed stipulation modifications enhance or diminish the existing Belmont DMP, and whether this amendment is viable. While staff does have concerns with the proposed amendment as outlined in this report, staff does believe that overall this amendment improves upon the existing Belmont DMP. With the addition of several thousand acres of State Trust land, the revised Belmont DMP capitalizes on excellent access to Interstate 10 by locating Mixed Use Employment Centers along this strategic transportation route, which has the capability of attracting major employers.
91. Staff also believes that the concepts put forth for the Mixed Use core center provide an opportunity for innovative development that provides a cohesive and well-planned mixed use project. The Maricopa County Comprehensive Plan encourages this type of development, and with the pending addition of a mixed use category to the Maricopa County Zoning Ordinance, this type of development will be able to be accommodated. Further, with the inclusion of the recommended stipulations staff believes that the mixed use core will development as intended with a mix of residential, retail, and employment uses.
92. While staff believes that this amendment is an improvement upon the existing DMP, staff cannot support this request at this time because of the outstanding issues regarding water and sewer service. As noted earlier, without a letter of no objection regarding the MAG 208 amendment from the Town of Buckeye, this project will likely not receive approval at MAG and thus will not receive sewer service, nor will the proposed utility provider receive a CC&N for water service. The result is that

this project will not come into existence under current laws. As noted by MCESD, Maricopa County will not support the DMP until it is ready to support the 208 amendment. Therefore, from Maricopa County's perspective the applicant does not yet have a water or wastewater solution for this project. Further, without this letter even the existing Belmont DMP is not feasible. Therefore, given that these issues may never be resolved under current laws staff does not believe it is prudent to grant an entitlement to add nearly 5,000 acres to a project that, as it exists today, may never be built. However, given that there are some advantageous aspects of this amendment request, rather than recommending denial staff believes that a recommendation for indefinite continuance is a more prudent action which would allow the applicant additional time to try to resolve outstanding issues with the Town of Buckeye.

93. Besides unresolved issues regarding water and wastewater service, staff has received a letter of objection from Drainage Plan Review regarding several issues related to the applicant's master drainage report. Staff believes that these issues also need to be address prior to this amendment request moving forward.
94. With such important unresolved issues from county agencies, especially related to water and wastewater service, staff typically requires that these issues be resolved prior to the commission hearing. In this instance, this project will not proceed forward without these fundamental issues being resolved. Therefore, staff does not schedule such cases for hearing until these important issues are resolved unless explicitly requested by the applicant. While staff encouraged the applicant to resolve these issues prior to hearing, the applicant has nonetheless requested to proceed to hearing, thus the reason this case is being presented to the Commission. It is also important to note that absent approvals from county agencies staff is not able to provide stipulations of approval that address the health and safety needs of these agencies.
95. Besides several unresolved issues such as water and sewer service, staff does not agree with all of the applicant's proposed stipulation modifications. This also holds true for several county agencies. As noted, the applicant's proposed modified stipulations are included as an attachment to your report. However, staff from the Planning and Development Department and other county agencies worked extensively to prepare and analyze the stipulations recommended in paragraph #98 and believe that these best serve Maricopa County and its residents and taxpayers. Therefore, should the commission recommend approval of this request staff maintains its recommendation for the stipulations as presented in this report.

Recommendation:

96. Staff recommends **indefinite continuance** of DMP 2006001 for the following reasons:
- County agencies have not provided recommendation for approval.
 - Maricopa County has yet to receive a letter of no objection from the Town of Buckeye regarding the MAG 208 amendment. Without such a letter and the MAG 208 approval, neither the existing nor amended Belmont DMP will occur under current regulations.
 - Since the existing Belmont DMP will not occur due to the lack of a MAG 208 amendment approval, staff believes it is neither necessary nor consistent with county policy to establish a precedent of allowing this DMP amendment request to add nearly 5,000 acres to the project.
 - Staff believes that since there are positive aspects of the amended Belmont DMP, the applicant should continue to work with the Town of Buckeye and Maricopa County agencies to resolve outstanding issues.
97. Should the Commission want to act upon this case, then staff recommends **denial** because of the fundamental unresolved issues outlined in this report.
98. Should the Commission recommend approval of this DMP request, staff recommends that approval be subject to the following stipulations. Please note that these stipulations are provided in edit format for easy comprehension. Deletions of the existing stipulations are identified as ~~striketrough~~ while additions and new stipulations are identified as **UNDERLINE AND CAPITALIZATION**.
- a. Development to be in accordance with the Narrative entitled "Belmont Development Master Plan" dated revised September 1, 2006 and stamped received September 8, 2006. ~~Changes to the Belmont Development Master Plan or the adopted stipulations must be processed as an amendment in accordance with the applicable development master plan guidelines in effect at the time of the amendment submission.~~
- b. **CHANGES TO THE BELMONT DEVELOPMENT MASTER PLAN WITH REGARD TO USE AND INTENSITY, OR THE STIPULATIONS APPROVED BY THE MARICOPA COUNTY BOARD OF SUPERVISORS, SHALL BE PROCESSED AS A REVISED APPLICATION WITH APPROVAL BY THE BOARD OF SUPERVISORS UPON RECOMMENDATION OF THE COMMISSION. REVISED APPLICATIONS SHALL BE IN ACCORDANCE WITH THE APPLICABLE DEVELOPMENT MASTER PLAN GUIDELINES, ZONING ORDINANCE, AND SUBDIVISION REGULATIONS IN EFFECT AT THE TIME OF AMENDMENT APPLICATION. THE MARICOPA COUNTY PLANNING AND DEVELOPMENT DEPARTMENT MAY ADMINISTRATIVELY APPROVE MINOR CHANGES TO THE BELMONT DEVELOPMENT MASTER PLAN AS OUTLINED IN THE MARICOPA COUNTY DEVELOPMENT MASTER PLAN**

GUIDELINES IN EFFECT AT THE TIME OF AMENDMENT. NON-COMPLIANCE WITH THE APPROVED BELMONT DEVELOPMENT MASTER PLAN, INCLUDING NARRATIVE REPORT, MAPS, EXHIBITS, OR APPROVED STIPULATIONS, CONSTITUTES A VIOLATION IN ACCORDANCE WITH THE MARICOPA COUNTY ZONING ORDINANCE.

- c. UP TO A 5% VARIATION IN THE PROPOSED NUMBER OF RESIDENTIAL UNITS WITHIN ANY PARCEL OR GROSS PARCEL AREA MAY BE APPROVED ADMINISTRATIVELY BY THE MARICOPA COUNTY PLANNING AND DEVELOPMENT DEPARTMENT AS LONG AS THE CHANGE DOES NOT RESULT IN A CHANGE OF LAND USE CATEGORIES. IN ADDITION, A 5%-10% VARIATION IN THE NUMBER OF RESIDENTIAL UNITS WITHIN ANY PARCEL OR GROSS PARCEL AREA MAY BE APPROVED ADMINISTRATIVELY BY THE MARICOPA COUNTY PLANNING AND DEVELOPMENT DEPARTMENT AS LONG AS THE CHANGE DOES NOT RESULT IN A CHANGE OF LAND USE CATEGORIES. HOWEVER, THE MARICOPA COUNTY PLANNING AND DEVELOPMENT DEPARTMENT MAY STILL REQUIRE A MAJOR AMENDMENT FOR SUCH CHANGES WITHIN THIS RANGE. ANY CHANGE GREATER THAN 10% IN THE NUMBER OF RESIDENTIAL UNITS WITHIN ANY PARCEL OR GROSS PARCEL AREA WILL REQUIRE A MAJOR AMENDMENT SUBJECT TO APPROVAL BY THE BOARD OF SUPERVISORS UPON RECOMMENDATION BY THE PLANNING AND ZONING COMMISSION.
- d. Domestic water shall meet Safe Drinking Water Act requirements.
- e. Roadside interceptor channels to be located outside roadway right-of-way within appropriate easements and provisions made or requirements maintenance.
- f. ~~Northern Avenue alignment through the master planned area shall be designated to have a 130-foot arterial right-of-way.~~
- g. ~~The intersection of Belmont Parkway and Northern Avenue shall provide for free flow of traffic in all directions. This will require additional right-of-way in the vicinity of the intersection.~~
- h. ~~Perimeter dedications will be made, as necessary and recommended by the County to serve adjacent properties.~~
- i. ~~Indian School Road from 339th Avenue westerly for 1½ miles and 339th Avenue from Indian School Road south to Interstate 10 shall be widened and improved as part of Phase I.~~
- j. ~~Belmont Parkway from Indian School Road to Interstate 10 shall be completed with the necessary interchange at 347th Avenue at commencement of Phase II.~~

- k. The master developer shall make arrangements for completion of all necessary fire stations concurrent with development in the applicable service area. Compliance shall be documented by the fire district/service provider and filed with Maricopa County.
- l. The fence along the Central Arizona Project Canal shall not be removed UNLESS WRITTEN APPROVAL IS GRANTED BY THE CENTRAL ARIZONA WATER CONSERVATION DISTRICT (CAWCD).
- ~~m. Development phasing shall adhere to a land use implementation schedule providing: 10.5 acres of commercial property, 8 acres of industrial property and 5 acres of public/quasi-public property per 1,000 projected population. Verification of compliance shall be provided to Maricopa County by the master developer prior to commencement of subsequent phases.~~
- n. Water usage shall be limited to 140 gallons per person, per day for the entire project. Water usage at this level shall be verified by the master developer for each phase prior to approval of any zoning for subsequent phases. Verification of compliance shall be provided by the master developer to the Maricopa County Planning and Development Department.
- ~~o. A detailed schedule of anticipated development within a five (5) year period shall be provided at the time of preliminary platting.~~
- ~~p. Gross residential densities shall not exceed the following target densities within the residential land use categories:~~
- ~~• Rural residential/high density: 0.6 dwelling units per acre.~~
 - ~~• Suburban residential: 1.5 dwelling units per acre.~~
 - ~~• Urban residential/very low density: 3.0 dwelling units per acre.~~
 - ~~• Urban residential/low density: 6 dwelling units per acre.~~
 - ~~• Urban residential/medium density: 10.0 dwelling units per acre.~~
 - ~~• Urban residential/high density: 16 dwelling units per acre.~~
- ~~Demonstration of compliance with the target densities shall be provided on all final plats.~~
- ~~q. A detailed financing plan shall be submitted to the Maricopa County Planning and Development Department at time of rezoning and preliminary platting.~~
- r. The master developer shall submit a written report to the Commission outlining the status of this development every five (5) years following approval of this request by the Board of Supervisors. The status report shall include location of

approved rezoning, location of developed parcels, location of parcels under construction, location of parcels sold to other developers, status of infrastructure development, current project density using both constructed and approved dwelling units, locations of any amendments made to the Master Plan, status and ratio of non-residential property, and any other information as requested by Maricopa County unless or until a development agreement between the master developer and Maricopa County is completed and signed by both parties.

- s. ~~All development~~ THE BELMONT DEVELOPMENT MASTER PLAN ~~will~~ IS ~~be~~ subject to ~~the~~ ALL Maricopa County ~~Subdivision~~ STANDARDS AND regulations in effect at the time of ZONING AND platting. ~~In addition, roadway classifications, roadway design criteria, and roadway construction requirements shall conform to applicable Maricopa County standards in effect at the time of each zoning application~~ unless modified by the adopted development agreement.
- t. All future rezoning applications for non-residential development will require a Planned Development (P.D.) overlay.
- ~~u. The master plan shall be developed sequentially as depicted on the Phasing Prototype Map, Exhibit 3-20. Any change to the order of the phases of the project will require review and approval by the Planning and Zoning Commission and the Board of Supervisors.~~
- v. The master developer shall be responsible for the installation of all major elements of infrastructure ~~including major street improvements, domestic water and sewer systems and drainage/flood control improvements~~ in accordance with ~~the~~ Maricopa County standards in effect at the time of platting OR AS OUTLINED IN THE DEVELOPMENT AGREEMENT.
- w. MITIGATION FOR SHORT TERM AIR QUALITY IMPACTS

The following mitigation measures will be implemented during construction to reduce short-term air quality impacts of the project:

1. Master developer shall obtain an approved earth-moving permit from the Maricopa County Environmental Services Department.
2. All installation permits, operating permits, earth moving equipment permits and other permits required by law will be duly obtained and the requirement thereof will be satisfied. Proof of compliance with this stipulation shall be provided to the Maricopa County Planning and Development Department as the permits are obtained.

MITIGATION FOR LONG TERM LOCAL AIR QUALITY IMPACTS

The Master Developer agrees to implement the following transportation demand and system measures to reduce vehicle miles traveled within the Belmont Area:

- ~~1. Traffic signals will be timed according to Maricopa County requirements. An underground conduit system (or comparable technology) shall be provided within those rights-of-way identified by the Maricopa County Department of Transportation to integrate traffic signals and for future intelligent transportation system uses.~~
- ~~2. Left turn signals will be provided at key intersections to maximize traffic flow.~~
- ~~3. Prior to approval of initial rezoning, the master developer shall prepare a comprehensive multimodal transportation and circulation plan for the Belmont Development Master Plan, which addresses conveyances such as bicycles, pedestrians, golf carts, and equestrian. Also prior to approval of initial rezoning, this plan shall be submitted to and approved by the Maricopa County Department of Transportation. In addition, the master developer shall include bicycle lanes on all arterial and collector road alignments, and a bicycle circulation plan shall also be provided to, and approved by, the Maricopa County Department of Transportation with each identified phase of development. A master plan for pedestrian paths shall also be provided to, and approved by, the Maricopa County Department of Transportation with each identified phase of development.~~
- ~~4. Bicycle facilities, including shaded areas and bicycle lockers, will be provided at each Multi-Use Center, and are subject to review and approval by the Maricopa County Department of Transportation.~~
- ~~5. Maps of existing and planned bicycle and pedestrian paths and facilities shall be made permanently available for public viewing at all public libraries and community centers in the Belmont Development Master Plan~~
6. The master developer shall provide neighborhood access to commercial and, where feasible, industrial areas via open space, pedestrian paths, bicycle paths, or other non-arterial street connections. Such access shall be specifically identified on all plats and precise plans of development.
- ~~7. The Master Developer will design Belmont to facilitate future transit usage by providing for safe and secure bus stops including turnout lanes in residential, industrial and commercial areas per the requirements of the Maricopa County Department of Transportation. Further, prior to approval of initial rezoning, the master developer shall meet as necessary with the Regional Public Transportation Authority or equivalent public transportation agency to discuss possible future public transit facility~~

~~needs to ensure that the Belmont DMP can accommodate anticipated future transit facilities. A memorandum of understanding (MOU) signed by both the Belmont master developer and the Regional Public Transportation Authority or equivalent transportation agency summarizing the results of these discussions shall be submitted to Maricopa County Planning and Development. Based on the MOU, public transit facilities shall be identified on plats.~~

8. Employers will be encouraged to provide bicycle storage, locker and shower facilities for employees. Applications for precise plans of development shall identify such facilities.

MITIGATION MEASURES FOR LONG TERM REGIONAL AIR QUALITY IMPACTS

The Master Developer agrees to implement the following transportation demand measures to reduce air emissions from trips and vehicle miles traveled between the project area and other regional destinations.

1. The Belmont master developer shall be responsible for providing transit and alternative transportation information to residents via an annual newsletter or equivalent method approved by the Maricopa County Planning and Development Department. Copies of such information shall be provided to the Maricopa County Planning and Development Department.
2. The Master Developer will provide a Park and Ride lot system to coincide with the phasing of development at Belmont utilizing the Multi-Use Centers and other appropriate locations throughout Belmont. Park and ride lots, bus terminals, and other mass transit facilities shall be identified on all precise plans of development and plats.
3. Each commercial, industrial, and multi-use center development providing over 50 parking spaces will assign at least 15 percent of the spaces to priority parking for car pools. Such spaces shall be identified on all precise plans of development.
4. ~~Free parking for automobiles, and bicycles, and other personal vehicles will be provided at park and ride facilities to encourage multi-occupancy vehicle use. Notes confirming compliance with this stipulation shall be included on all precise plans of development and plats.~~

IMPLEMENTATION OF AIR QUALITY MITIGATION MEASURES

1. At the time the individual parcels of the Belmont Development Master Plan are submitted for rezoning and/or subdivision approval, the master

developer shall be required to specify in detail how the above referenced air quality mitigation measures will be implemented and enforced in conjunction with the Project seeking the zoning and/or subdivision approval.

2. The ~~County Health Department~~ MARICOPA COUNTY ENVIRONMENTAL SERVICES DEPARTMENT shall be notified in conjunction with each request for zoning and/or subdivision approval and provided an opportunity to review and comment on the implementation of the specific air quality mitigation implementation to ensure such measures are in compliance with the air quality mitigation measures submitted in conjunction with the Belmont Master Plan approval and referenced herein.
- ~~x. The bridge and interchange at 347th Avenue or 355th avenue, as determined by the Maricopa County Department of Transportation, must be built prior to the 339th Avenue Bridge reaching capacity.~~
- y. Prior to approval of initial rezoning, the master developer shall enter into a development agreement with Maricopa County. Further, prior to any rezoning approval this development agreement shall be signed by both ~~parties~~ THE MASTER DEVELOPER AND THE DESIGNATED MARICOPA COUNTY REPRESENTATIVES and provided to the Maricopa County Planning and Development Department for public record.
- z. The initial final plat for phase one (1) shall ~~occur~~ BE APPROVED within ~~nine (9)~~ FIVE (5) years of Board of Supervisors approval of ~~the revised Belmont Development Master Plan stipulations~~ THIS AMENDMENT REQUEST. If THE INITIAL final platting has not occurred within this timeframe, the Belmont Development Master Plan shall be scheduled for public hearing by the Maricopa County Board of Supervisors, upon recommendation from the Maricopa County Planning and Zoning Commission, for possible revocation OF THIS DEVELOPMENT MASTER PLAN. If revoked, future action regarding the Belmont Development Master Plan would then require application for a new development master plan and would be subject to Board of Supervisors approval. FURTHER, SHOULD THIS DEVELOPMENT MASTER PLAN BE RESCINDED, ALL ZONING AND OTHER ENTITLEMENT CHANGES APPROVED AS PART OF THE BELMONT DEVELOPMENT MASTER PLAN SHALL ALSO BE CONSIDERED FOR REVOCATION BY THE BOARD OF SUPERVISORS, UPON RECOMMENDATION BY THE COMMISSION, TO THE PREVIOUS ENTITLEMENTS.
- aa. If required by the Arizona Department of Water Resources, prior to approval of any rezoning the master developer shall update the preliminary groundwater resources evaluation study dated October 1989. Among other items, the updated study should examine expected aquifer production capabilities, impacts to

adjoining aquifers, aquifer replenishment, and an analysis of the cumulative impacts of water withdrawal on the surrounding region. The study shall be approved by the Arizona Department of Water Resources. Maricopa County may require changes consistent with the recommendations by the Arizona Department of Water Resources, but may not require any changes beyond the water resource related recommendations made by the Arizona Department of Water Resources.

- bb. If required by the Maricopa County Environmental Services Department, prior to approval of any rezoning the master developer shall update and, if necessary, revise the Belmont Development Master Plan Master Wastewater Study dated June 13, 1991. Based on the update results, Maricopa County reserves the right to require changes to the infrastructure plans to reflect updated conditions.
- cc. If required by the Maricopa County Environmental Services Department, prior to approval of any rezoning the master developer shall update and, if necessary, revise the Belmont Development Master Plan Master Water Study dated June 13, 1991. Based on the update results, Maricopa County reserves the right to require changes to the Belmont infrastructure plans to reflect updated conditions.
- dd. If required by the Flood Control District of Maricopa County, prior to approval of any rezoning the master developer shall update and, if necessary, revise the Belmont Development Master Plan Master Drainage Study dated June 13, 1991. Based on the update results, Maricopa County reserves the right to require changes to the drainage solutions for the Belmont Development Master Plan to reflect updated conditions. The master developer will be allowed to transfer density within the project to accommodate unforeseen drainage and flood control issues.
- ~~ee. If required by the Maricopa County Department of Transportation, prior to approval of initial rezoning the master developer shall update the Belmont Development Master Plan Transportation Master Plan dated August 1990, and shall submit updates prior to commencement of each subsequent phase. The update should contain an analysis of the fiscal impact of the necessary transportation infrastructure, including funding for improvements and future maintenance. In addition, if required by the Maricopa County Department of Transportation, prior to any rezoning the master developer shall prepare and submit to the Maricopa County Department of Transportation for approval a regional transportation study for the area. This study should analyze and evaluate the transportation impacts of the Belmont Development Master Plan on the regional transportation system, with the impact area being determined by the Maricopa County Department of Transportation. This study should also address development phasing and the respective regional infrastructure improvements necessary to support each phase. Further, prior to approval of any~~

~~rezoning the master developer shall agree to pay their necessary and pro-rata share of the regional fiscal impact costs of transportation facilities identified in the regional transportation model and as included in the development agreement.~~

~~ff. For streets within the development, the average daily traffic (ADT) on the street segments shall not exceed the threshold ADT values defined in the Maricopa County Department of Transportation Roadway Design Manual. If the ADT attributable to Belmont on a street segment exceeds this threshold value, a parallel roadway facility, to the segment under consideration, shall be required at the discretion of the Maricopa County Department of Transportation.~~

~~gg. All weather access shall be provided to all parcels and on all arterial roadways.~~

~~hh. A minimum of two access points shall be provided and available to each subdivision unit.~~

~~ii. Street light installation shall be the responsibility of the master developer. A street lighting improvement district, or comparable authority, shall be established to provide operation and maintenance.~~

jj. CONCURRENT WITH EACH PRELIMINARY PLAT AND PRECISE PLAN APPLICATION, THE MASTER DEVELOPER SHALL PROVIDE DOCUMENTATION AS TO HOW THE PRELIMINARY PLAT AND PRECISE PLAN COMPLIES WITH THE MARICOPA COUNTY BICYCLE TRANSPORTATION PLAN.

kk. CONCURRENT WITH EACH PRELIMINARY PLAT AND PRECISE PLAN APPLICATION, THE MASTER DEVELOPER SHALL PROVIDE DOCUMENTATION AS TO HOW THE PRELIMINARY PLAT AND PRECISE PLAN COMPLIES WITH THE MARICOPA REGIONAL TRAIL PLAN.

ll. Prior to approval of any rezoning, and if required by the Maricopa County Environmental Services Department, a Maricopa Association of Governments (MAG) Air Quality Conformity Analysis shall be completed by the applicant and analyzed by MAG and Maricopa County to determine regional impacts and any necessary mitigation measures. Based on the results, Maricopa County and the master developer will address any necessary mitigation measures. Any mitigation measures taken will not affect approved densities for the Belmont Development Master Plan.

mm. Prior to approval of any rezoning, an archaeological survey of the Belmont Development Master Plan property shall be conducted to locate and evaluate any existing cultural resources that may be present. Once the survey has been completed, a copy of the report shall be provided to the Arizona State Historic

Preservation Office for review and comment. If historic or significant sites are identified within the project area, it may be necessary to have archaeological testing performed at the sites to evaluate their eligibility for inclusion in the National or State Register of Historic Places. If Register-eligible properties cannot be avoided by development activities, then the Arizona State Historic Preservation Office shall determine if a data recovery (excavation) program is necessary. If federal permit(s) are required for any development, then any archaeological work performed must meet the Secretary of Interior's standards.

- nn. If requested by the Arizona Game and Fish Department, prior to approval of initial rezoning the master developer shall work with the Arizona Game and Fish Department to help quantify potential impacts to wildlife in the Belmont Development Master Plan region, and work with the Arizona Game and Fish Department to develop a mitigation plan to offset potential adverse impacts to wildlife resulting from the proposed development. This mitigation plan shall be provided to the Maricopa County Planning and Development Department for public record, and all rezonings must demonstrate conformance with the approved mitigation plan unless deemed redundant due to the 404 permitting process.
- oo. The master developer shall notify all future Belmont Development Master Plan residents that they are not located within an incorporated city or town, and therefore will not be represented by or be able to petition a citizen-elected municipal government. Further, residents will not have access to municipally managed services such as police, fire, parks, water, wastewater, libraries, and refuse collection. Such notice shall be published on all final plats, ~~be permanently posted on the front door of all home sales offices on not less than an 8½ inch by 11 inch sign,~~ be included in all home sales material, and be included in all homeowners association covenants, conditions, and restrictions (CC&Rs).
- pp. ~~Prior to approval of any rezoning, the master developer shall initiate discussions with the appropriate public school district(s) to address service and facility needs. Any formal agreements signed by both the master developer and the school district(s) shall be provided to the Maricopa County Planning and Development Department for public record.~~ UNLESS OTHERWISE AGREED TO IN WRITING BY THE APPLICABLE SCHOOL DISTRICT(S), NOT LESS THAN TWENTY-ONE (21) K-8 SCHOOLS AND THREE (3) HIGH SCHOOLS, TOTALLING 440 ACRES, SHALL BE RESERVED FOR SCHOOLS IN THE LOCATIONS AND OF THE SIZES IDENTIFIED ON THE BELMONT LAND USE PLAN. TO HELP ENSURE COMPLIANCE, AT THE TIME OF EACH PRELIMINARY PLAT SUBMITTAL THE MASTER DEVELOPER SHALL INCLUDE A DESCRIPTION OF THE STATUS OF THE REQUIRED NUMBER AND TYPE OF SCHOOLS, AND ACREAGE REFERENCED IN THIS STIPULATION. ELEMENTARY SCHOOLS ARE PROHIBITED FROM FRONTING ON TO ARTERIAL STREETS.

qq. THE TOTAL NUMBER OF RESIDENTIAL DWELLING UNITS SHALL NOT EXCEED 78,491 RESIDENTIAL UNITS. TO HELP ENSURE COMPLIANCE, THE CUMULATIVE NUMBER OF DWELLING UNITS BUILT TO THAT POINT SHALL BE IDENTIFIED ON ALL PLATS.

~~rr. Not less than 2,059 acres of the Belmont Development Master Plan shall be set aside for commercial-type development, as identified in the Belmont Development Master Plan narrative report. To help ensure compliance, the total acres of such land use shall be included on all plats. In addition, at the time of each preliminary plat or precise plan submission, the master developer shall submit a description of the status of the cumulative commercial-type development land use acreage with respect to the minimum 2,059-acre requirement.~~

~~ss. Not less than 1,249 acres of the Belmont Development Master Plan shall be set aside for industrial-type development, as identified in the Belmont Development Master Plan narrative report. To help ensure compliance, the total acres of such land use shall be included on all plats. In addition, at the time of each preliminary plat or precise plan submission, the master developer shall submit a description of the status of the cumulative industrial-type development land use acreage with respect to the minimum 1,249-acre requirement.~~

tt. Not less than 900 ACRES SHALL BE RESERVED FOR RECREATIONAL OPEN SPACE AS DEPICTED ON THE BELMONT LAND USE PLAN. ~~the following of the Belmont Development Master Plan shall be set aside for park and recreation, as identified in the Belmont Development Master Plan narrative report:~~

- ~~• 413 acres for neighborhood parks~~
- ~~• 226 acres for playfields~~
- ~~• 228 acres for playgrounds~~
- ~~• 760 acres for community parks~~
- ~~• 20 acres for indoor recreation~~
- ~~• 6 public swimming pools~~
- ~~• 54.5 acres for sports complex~~
- ~~• 872 acres for usable retained open space~~

To help ensure compliance, the total acres of each of these land uses shall be included on all plats. In addition, at the time of each preliminary plat submission, the master developer shall submit a description of the status of the cumulative land use acreage with respect to the minimum acreage requirement ~~for each of these land uses~~ WITH RESPECT TO THE MINIMUM REQUIREMENT OUTLINED IN THIS STIPULATION.

uu. ~~Not less than 838 acres shall be set aside as natural open space.~~ NOT LESS THAN 2,500 ACRES SHALL BE RESERVED FOR DEDICATED/NON-DEVELOPABLE OPEN

SPACE AS DEPICTED ON THE BELMONT LAND USE PLAN. To help ensure compliance, the total acres of such land use shall be included on all plats. In addition, at the time of each preliminary plat submission, the master developer shall include a description of the status of the cumulative natural open space acreage with respect to the minimum ~~838-acre~~ requirement OF THIS STIPULATION.

- vv. NOT LESS THAN 300 MINI-PARKS, AT A MINIMUM OF 1 ACRE EACH, SHALL BE RESERVED WITHIN THE BELMONT DEVELOPMENT MASTER PLAN. TO HELP ENSURE COMPLIANCE, THE CUMULATIVE NUMBER OF PARKS AND ACRES COMPLETED TO THAT POINT WITH RESPECT TO THE MINIMUM REQUIREMENT OF THIS STIPULATION SHALL BE IDENTIFIED ON ALL PLATS.
- ww. All park and recreation facilities shall be completed concurrent with development in the applicable service area. Park facilities shall be identified on all applicable plats, and park amenities will be subject to review by the Maricopa County Planning and Development Department.
- xx. PRIOR TO ANY ZONING CHANGE, THE APPLICANT SHALL SUBMIT TO THE MARICOPA COUNTY PLANNING AND DEVELOPMENT DEPARTMENT A "WILL SERVE" LETTER AND AN APPROVED CERTIFICATE OF CONVENIENCE AND NECESSITY (CC&N) FROM GLOBAL WATER RESOURCES WHICH DEMONSTRATES A WILLINGNESS AND CAPABILITY TO SERVE THE ENTIRE BELMONT DEVELOPMENT MASTER PLAN.
- yy. PRIOR TO ANY ZONING CHANGE, THE APPLICANT SHALL SUBMIT TO THE MARICOPA COUNTY PLANNING AND DEVELOPMENT DEPARTMENT A "WILL SERVE" LETTER AND VERIFICATION OF APPROVAL OF A MARICOPA ASSOCIATION OF GOVERNMENTS (MAG) 208 AMENDMENT FROM GLOBAL WATER RESOURCES WHICH DEMONSTRATES A WILLINGNESS AND CAPABILITY TO SERVE THE ENTIRE BELMONT DEVELOPMENT MASTER PLAN.
- zz. PRIOR TO ANY ZONING CHANGE, THE APPLICANT SHALL SUBMIT TO THE MARICOPA COUNTY PLANNING AND DEVELOPMENT DEPARTMENT A "WILL SERVE" LETTER FROM A QUALIFIED FIRE AND EMERGENCY RESPONSE PROVIDER DEMONSTRATING A WILLINGNESS AND CAPABILITY TO SERVE THE ENTIRE BELMONT DEVELOPMENT MASTER PLAN.
- aaa. NO LESS THAN 983 ACRES SHALL BE RESERVED FOR MIXED USE AS DEPICTED ON THE BELMONT LAND USE PLAN. TO HELP ENSURE THAT SUCH AREAS DEVELOP AS OUTLINED IN THE MARICOPA COUNTY DEVELOPMENT MASTER PLAN GUIDELINES, NO LESS THAN 325 ACRES OF THE TOTAL ACREAGE SHALL BE RESERVED FOR PROFESSIONAL AND SEMI-PROFESSIONAL OFFICE-TYPE EMPLOYMENT USES. FURTHER, NO LESS THAN 167 ACRES SHALL BE RESERVED FOR RETAIL-TYPE USES. AT THE TIME OF EACH PRELIMINARY PLAT OR PRECISE

PLAN SUBMITTAL, THE MASTER DEVELOPER SHALL INCLUDE A DESCRIPTION OF THE STATUS OF THE CUMULATIVE ACREAGE WITH RESPECT TO THE REQUIREMENTS OUTLINED IN THIS STIPULATION. THIS REQUIRED BALANCE SHALL BE PERMANENTLY MAINTAINED.

- bbb. NO LESS THAN 717 ACRES SHALL BE RESERVED FOR MIXED USE EMPLOYMENT AS DEPICTED ON THE BELMONT LAND USE PLAN. AT THE TIME OF EACH PRELIMINARY PLAT SUBMITTAL, THE MASTER DEVELOPER SHALL INCLUDE A DESCRIPTION OF THE STATUS OF THE CUMULATIVE ACREAGE WITH RESPECT TO THE REQUIREMENTS OUTLINED IN THIS STIPULATION.
- ccc. NO LESS THAN 1,808 ACRES SHALL BE RESERVED FOR RETAIL COMMERCIAL AS DEPICTED ON THE BELMONT LAND USE PLAN. AT THE TIME OF EACH PRELIMINARY PLAT SUBMITTAL, THE MASTER DEVELOPER SHALL INCLUDE A DESCRIPTION OF THE STATUS OF THE CUMULATIVE ACREAGE WITH RESPECT TO THE REQUIREMENTS OUTLINED IN THIS STIPULATION.
- ddd. DEVELOPMENT SHALL BE PROHIBITED ON HILLSIDE SLOPES OF 20% OR GREATER SLOPE UNLESS APPROVED BY THE MARICOPA COUNTY BOARD OF SUPERVISORS. BUILDING ENVELOPES SHALL BE USED FOR ANY DEVELOPMENT ON SLOPES OF 15% OR GREATER, IN WHICH NO DISTURBANCE SHALL BE ALLOWED OUTSIDE SUCH ENVELOPES. ON SLOPES GREATER THAN 15%, RESIDENTIAL BUILDING HEIGHT SHALL BE LIMITED TO 20 FEET AND SINGLE STORY; NON-RESIDENTIAL BUILDING HEIGHT SHALL BE LIMITED TO 25 FEET.
- eee. Prior to filing applicable preliminary plats, the master developer shall submit a landscape inventory and salvage plan which identifies and assesses the native trees and cacti within the applicable parcels, and which determines the preservation and disposition for each of the selected trees, plants, and cacti. The salvage plan shall be in accordance with state laws in effect at the time of plat submittal.
- fff. The master developer or similar entity shall be responsible for construction and maintenance of public open spaces and facilities; washes; parks; roadway median landscaping; landscaping within the public rights-of-way; pedestrian, bicycle, ~~and~~ equestrian ~~paths,~~ AND MULTI-USE PATHS AND TRAILS; AND OTHER COMMUNITY AMENITIES. Should the Belmont Development Master Plan be incorporated, responsibility for maintenance of the above mentioned facilities shall be the responsibility of the annexing city or newly created municipality.
- ggg. All irrigation of common areas, golf courses, and lakes over ten (10) acres in size shall be done entirely with a renewable water supply when sufficiently available. A report identifying when a renewable water supply will be available shall be submitted to the Maricopa County Planning and Development Department prior

to approval of initial rezoning. Notes testifying to compliance with this stipulation shall be placed on all plats.

- hhh. No development shall be permitted on hillside slopes of greater than 15%. Building envelopes shall be required for all development in areas of 10% to 15% slope. Building envelopes are to designate the area that may be disturbed for all residential structures and amenities. The balance of the lot outside this envelope shall be retained in its natural state.

~~iii. Prior to approval of the first final plat, the master developer shall provide Maricopa County with the appropriate documentation as identified by the Maricopa County Planning and Development Department of their intent to form a community facilities district that encompasses the entire Belmont Development Master Plan. This district shall be formed for the purpose of financing the following public infrastructure:~~

- ~~1. Sanitary sewage systems, including collection, transport, storage, treatment, dispersal, effluent use and discharge.~~
- ~~2. Drainage and flood control systems, including collection, transport, diversion, storage, detention, retention, dispersal, use, and discharge.~~
- ~~3. Water systems for domestic, industrial, irrigation, municipal and fire protection purposes including production, collection, storage, treatment, transport, delivery, connection and dispersal.~~
- ~~4. Highways, streets, roadways and parking facilities including all areas for vehicular use for travel, ingress, egress and parking.~~
- ~~5. Areas for pedestrian, equestrian, bicycle and other non-motor vehicle use for travel, ingress, egress and parking.~~
- ~~6. Pedestrian malls, parks, recreational facilities, and public open space areas.~~
- ~~7. Landscaping including earthworks, structures, lakes and other water features, plants, trees and related water delivery systems.~~
- ~~8. Public buildings, public safety facilities and fire protection facilities.~~
- ~~9. Lighting systems.~~
- ~~10. Traffic control systems and devices including signals, controls, markings and signage.~~
- ~~11. School sites and facilities if agreed to and with the consent of the applicable school district(s).~~
- ~~12. Equipment, vehicles, furnishings and other property related to the items listed in this paragraph.~~

~~Formation of the district shall occur prior to issuance of any building permits.~~

jjj. Development of the Belmont Development Master Plan shall also be in concert with the following stipulations:

- The Glendale Avenue and Olive Avenue street alignments will generally be maintained along the east-west section line through the project and will be shown connecting to Sun Valley Parkway to the east. It is anticipated that there will be low level water crossings across the Hassayampa River of these locations.
- The 339th Avenue and 363rd Avenue street alignments will generally be maintained along the north-south section line through the project.
- The Northern Avenue street alignment will generally be maintained along the east-west section line and will be shown connecting to Sun Valley Parkway to the east.

kkk. ADEQUATE COVERAGE BY THE EXISTING OUTDOOR WARNING SIREN SYSTEM FOR THE PALO VERDE NUCLEAR GENERATING STATION IS REQUIRED. OTHERWISE, THE APPLICANT SHALL BE RESPONSIBLE FOR INSTALLATION OF ADEQUATE ADDITIONAL SIRENS PROVIDING FOR ADEQUATE COVERAGE FOR THE BELMONT DEVELOPMENT MASTER PLAN. THE APPLICANT SHALL OBTAIN INFORMATION ON EXISTING SIREN COVERAGE FROM THE MARICOPA COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT. IF EXISTING COVERAGE IS INADEQUATE, THE MASTER DEVELOPER SHALL PROVIDE FUNDING TO COVER EXPENSES OF INSTALLING NEW SIRENS. PALO VERDE NUCLEAR GENERATING STATION WILL COORDINATE INSTALLATION OF THE SIRENS. SIREN COVERAGE MUST MEET THE STANDARDS SET FOR IN CODE OF FEDERAL REGULATIONS FEMA RULE 44 – PART 350. ADEQUATE SIREN COVERAGE SHALL BE PROVIDED PRIOR TO THE OCCUPATION OF ANY PROPOSED BUILDINGS OR RESIDENCES.

III. PRIOR TO ANY ZONE CHANGE, THE APPLICANT SHALL CONSULT WITH THE MARICOPA COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT TO DETERMINE IF THE PROPOSED DEVELOPMENT ADVERSELY IMPACTS THE EXISTING PALO VERDE EVACUATION PLAN. IF THE PROPOSED DEVELOPMENT ADVERSELY IMPACTS THE EVACUATION PLAN RESULTS, THEN THE APPLICANT SHALL ENSURE THAT ADEQUATE PROVISIONS (STREET AND ROAD WIDENING, INTERCHANGES, ETC) ARE PROVIDED TO ENSURE EVACUATION ASSUMPTIONS AND REQUIREMENTS ARE MET.

mmm. THE APPLICANT SHALL ENSURE THAT PUBLIC SAFETY INFORMATION REGARDING NUCLEAR EMERGENCIES IS INITIALLY PROVIDED TO ANY NEW RESIDENTS OR BUILDING OCCUPANTS. THE APPLICANT SHALL OBTAIN THIS INFORMATION FROM THE PALO VERDE NUCLEAR GENERATING STATION – EMERGENCY PLANNING DEPARTMENT. ALL COSTS ASSOCIATED WITH THE

DUPLICATION AND DISSEMINATION OF THE INITIAL DISTRIBUTION SHALL BE ASSUMED BY THE APPLICANT. THEREAFTER, THE PALO VERDE NUCLEAR GENERATING STATION WILL PROVIDE THIS PUBLIC SAFETY INFORMATION ANNUALLY.

nnn. THE MASTER DEVELOPER SHALL ADDRESS ALL OF THE COMMENTS AND REQUIREMENTS OF THE MARICOPA COUNTY PLANNING AND DEVELOPMENT DEPARTMENT – DRAINAGE ADMINISTRATION DIVISION AS OUTLINED IN THE JULY 15, 2006 MEMORANDUM FROM TRAVIS GUO TO DARREN GERARD.

ooo. THE FOLLOWING MARICOPA COUNTY PARKS AND RECREATION DEPARTMENT STIPULATIONS SHALL APPLY:

1. TWO HUNDRED FIFTY DOLLARS (\$250) PER RESIDENTIAL UNIT SHALL BE PAID BY THE MASTER DEVELOPER AS EACH RESIDENTIAL BUILDING PERMIT IS ISSUED TO A FUND FOR THE WHITE TANK MOUNTAIN REGIONAL PARK FOR TRAILS AND FACILITIES ENHANCEMENT AND MAINTENANCE. THE COUNTY SHALL DEPOSIT AND HOLD ALL RECEIPTS IN THE PARKS SPECIAL REVENUE FUND FOR THE SPECIFIC PURPOSES STATED ABOVE. ALL INTEREST EARNED ON THE FUND SHALL REMAIN AN ASSET OF THE FUND. THE ASSETS OF THIS FUND ARE NOT INTENDED TO REPLACE EXISTING COUNTY APPROPRIATIONS FOR SIMILAR PURPOSES, BUT RATHER ARE INTENDED AS SUPPLEMENTAL RESOURCES RESULTING FROM ADDITIONAL PARK USAGE BY BELMONT RESIDENTS. MARICOPA COUNTY PARKS AND RECREATION DEPARTMENT WILL PROVIDE EACH RESIDENTIAL UNIT IN THE BELMONT DEVELOPMENT MASTER PLAN WITH A ONE-YEAR, SEVENTY-FIVE DOLLAR (\$75) VOUCHER TOWARD THE PURCHASE OF AN ANNUAL PASS FOR ENTRANCE INTO ANY DESERT MOUNTAIN REGIONAL PARK ADMINISTERED BY SAID DEPARTMENT, EXCEPT LAKE PLEASANT REGIONAL PARK.

2. TWO HUNDRED FIFTY DOLLARS (\$250) PER RESIDENTIAL UNIT SHALL BE PAID BY THE MASTER DEVELOPER AS EACH RESIDENTIAL BUILDING PERMIT IS ISSUED TO A FUND FOR TE MARICOPA TRAIL FOR DESIGN, CONSTRUCTION, ENHANCEMENT, OPERATION, AND MAINTENANCE. THE COUNTY WILL DEPOSIT AND HOLD ALL RECEIPTS IN THE TRAILS SPECIAL REVENUE FUND FOR THE SPECIFIC PURPOSES STATED. ALL INTEREST EARNED ON THE FUND SHALL REMAIN AN ASSET OF THE FUND. THE ASSETS OF THIS FUND ARE NOT INTENDED TO REPLACE EXISTING COUNTY APPROPRIATIONS FOR SIMILAR PURPOSES, BUT RATHER ARE INTENDED AS SUPPLEMENTAL AND ENHANCEMENT RESOURCES NEEDED AS THIS COMMUNITY GROWS IN ITS RESIDENTS USE OF THE MARICOPA TRAIL.

ppp. THE FOLLOWING MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION STIPULATIONS SHALL APPLY:

1. THE APPLICANT SHALL PROVIDE A TRAFFIC IMPACT STUDY (TIS). THE TIS SHALL COMPLY WITH MCDOT REQUIREMENTS AND SHALL ADDRESS DEVELOPMENT PHASING AND THE OFFSITE IMPROVEMENTS NECESSARY TO ACCOMMODATE THE ANTICIPATED TRAFFIC DEMANDS. THE TIS SHALL ADDRESS THE TIMING, INCLUDING "TRIGGER" POINTS FOR WHEN DESIGN SHOULD BEGIN, AND "THRESHOLDS" BY WHICH TIME CONSTRUCTION SHOULD BE COMPLETE. THE TIS MUST BE APPROVED BEFORE SUBSEQUENT APPROVAL OF ANY ROADWAY IMPROVEMENT PLANS. THE TIS SHALL BE UPDATED PRIOR TO THE FIRST FINAL PLAT APPROVAL AND WITH EACH DEVELOPMENT PHASE TO REFLECT CURRENT CONDITIONS AND ANY CHANGES TO THE DEVELOPMENT PLAN. THE NEED FOR ADDITIONAL LANE CAPACITY ON OFFSITE ARTERIAL ALIGNMENTS WILL BE REVIEWED WITH EACH RESUBMITTAL OF THE TIS. THE PROJECT MUST COMPLY WITH ALL RECOMMENDATIONS IN THE MCDOT-APPROVED TIS.
2. THE APPLICANT SHALL MAKE A CONTRIBUTION TO REGIONAL TRANSPORTATION INFRASTRUCTURE. THE CONTRIBUTION SHALL BE \$3,281.00 PER RESIDENTIAL DWELLING UNIT. THE APPLICANT MAY CHOOSE TO CONSTRUCT OFF-SITE AND CERTAIN ON-SITE REGIONAL IMPROVEMENTS AS FURTHER DEFINED IN THE DEVELOPMENT AGREEMENT, IN LIEU OF PAYMENT OF THIS CONTRIBUTION. SUCH OFF-SITE STREET IMPROVEMENTS MUST BE "SYSTEM ROADWAYS," MUST BE ALL-WEATHER FACILITIES, MUST MEET COUNTY STANDARDS IN EFFECT AT THE TIME THEY ARE IMPROVED, AND MUST BE PRE-APPROVED BY MCDOT. MCDOT WILL REQUIRE A DEVELOPMENT AGREEMENT TO DETAIL THE SPECIFICS OF CONSTRUCTION, INCLUDING PHASING AND TIMING. IF THE APPLICANT CHOOSES NOT TO CONSTRUCT REGIONAL ROADWAY IMPROVEMENTS, THE APPLICANT SHALL PAY THE CONTRIBUTION AMOUNT AT THE TIME INDIVIDUAL BUILDING PERMITS ARE ISSUED, OR PER AN ALTERNATE AGREEMENT AS APPROVED BY MCDOT.
3. THE DEVELOPMENT AGREEMENT SHALL BE EXECUTED PRIOR TO ANY ZONING (REZONING) OR PRELIMINARY PLAT APPROVAL. THE DEVELOPMENT AGREEMENT SHALL BE AN ENFORCEABLE CONTRACT, REGARDLESS OF ANNEXATION.
4. THE APPLICANT SHALL PROVIDE THE ULTIMATE FULL OR HALF-WIDTH OF RIGHT-OF WAY FOR ALL PUBLIC ROADWAYS AS FOLLOWS:
 - A.) 331st Avenue:

| | |
|--------------------------------|----------------------|
| I-10 to Thomas Road | 65 Feet (Half-width) |
| Northern Avenue to Cactus Road | 65 Feet (Half-width) |

- B.) 339th Avenue:
 I-10 to Indian School Road 150 Feet (Half width) 300 Feet (Full-width)
 Bethany Home Road to North Boundary 300 Feet (Full-width)
- C.) 347th Avenue (355th Avenue):
 I-10 to North Boundary 300 Feet (Full-width)
- D.) 355th Avenue:
 McDowell Road to Osborn Road 65 Feet (Half-width) 130 Feet (Full-width)
- E.) 363rd Avenue:
 McDowell Road to Osborn Road 65 Feet (Half-width) 130 Feet (Full-width)
 Camelback Road to Olive Avenue 130 Feet (Full-width)
- F.) 371st Avenue:
 McDowell Road to Thomas Road 130 Feet (Full-width)
- G.) McDowell Road:
 331st Avenue to 347th Avenue 130 Feet (Full-width)
 355th Avenue to 371st Avenue 65 Feet (Half-width)
- H.) Thomas Road:
 331st Avenue to 371st Avenue 65 Feet (Half-width) 130 Feet (Full-width)
- I.) Indian School Road:
 339th Avenue to 371st Avenue 65 Feet (Half-width) 130 Feet (Full-width)
- J.) Camelback Road:
 339th Avenue to 371st Avenue 100 Feet (Half-width) 200 Feet (Full-width)
- K.) Bethany Home Road:
 323rd Avenue to 371st Avenue 65 Feet (Half-width) 130 Feet (Full-width)
- L.) Glendale Avenue:
 Northern Avenue to 371st Avenue 130 Feet (Full-width)
- M.) Northern Avenue:
 323rd Avenue to 379th Avenue 100 Feet (Half-width) 200 Feet (Full-width)
- N.) Olive Avenue:

323rd Avenue to 379th Avenue 65 Feet (Half-width) 130 Feet (Full-width)

O.) Peoria Avenue / Cactus Road:

331st Avenue 375th Avenue 65 Feet (Half-width) 130 Feet (Full-width)

P.) All Collector Roadways: 40 Feet (Half-width) 80 Feet (Full-width)

THE ABOVE REFERENCES INTERIOR AND PERIMETER ROADS. (THE PROJECT BOUNDARY IS THE CENTERLINE OF ALL PERIMETER ROADWAYS AND/OR ROADWAY ALIGNMENTS.) FULL-WIDTH RIGHT-OF-WAY SHALL BE PROVIDED WHERE THE ENTIRE ROADWAY IS WITHIN THE DEVELOPMENT (INTERIOR ROADWAYS). HALF-WIDTH RIGHT-OF-WAY SHALL BE PROVIDED WHERE "HALF" OF THE ROADWAY IS WITHIN THE DEVELOPMENT (PERIMETER ROADWAYS).

ADDITIONAL RIGHT-OF-WAY SHALL BE DEDICATED AT ANY INTERSECTIONS WHERE FUTURE DUAL LEFT TURN LANES ARE POSSIBLE. THE WIDENED RIGHT-OF-WAY SECTION SHALL ACCOMMODATE THE LENGTH OF THE LEFT TURN LANE, INCLUDING REVERSE CURVES.

THE APPLICANT SHALL RESERVE SUFFICIENT RIGHT-OF-WAY FOR FUTURE TRAFFIC INTERCHANGES. THIS INCLUDES INTERCHANGES WITH I-10 AS WELL AS INTERCHANGES ALONG THE "NEW NORTH/SOUTH FREEWAY ALIGNMENT," WHICH HAS NOT YET BEEN DETERMINED. EXACT LOCATIONS FOR THESE INTERCHANGES HAVE NOT YET BEEN DETERMINED. IT IS POSSIBLE THAT SOME INTERCHANGES WILL NOT BE LOCATED SOLELY WITHIN THE PROJECT BOUNDARIES. THE APPLICANT SHALL BE RESPONSIBLE FOR ONLY RESERVING RIGHT-OF-WAY WITHIN THE BOUNDARIES OF THEIR PROJECT.

5. THE APPLICANT SHALL BE RESPONSIBLE FOR DESIGN AND CONSTRUCTION OF THE ULTIMATE FULL-WIDTH OF ALL INTERIOR ROADWAYS, AND THE ULTIMATE HALF-WIDTH OF ALL PERIMETER ROADWAYS, UNLESS APPROVED OTHERWISE BY MCDOT. A PORTION OF THESE IMPROVEMENTS MAY BE CREDITABLE TO THE APPLICANT'S CONTRIBUTION REFERRED TO IN ITEM #2. ALL ROADWAYS MUST MEET COUNTY STANDARDS IN EFFECT AT THE TIME THEY ARE IMPROVED. ALL ROADWAYS MUST INCLUDE APPROPRIATE ITS INFRASTRUCTURE. HALF-WIDTH ROADWAYS MUST BE DESIGNED SO AS TO SAFELY CARRY TWO-WAY TRAFFIC UNTIL THE ULTIMATE ROADWAY IS CONSTRUCTED. ROADWAY IMPROVEMENT PLANS MUST BE APPROVED AND PERMITTED BY MCDOT.
6. THE APPLICANT IS RESPONSIBLE FOR ASSURING PAVED ACCESS TO THEIR SITE AT THE TIME OF THE FIRST FINAL PLAT. IMPROVEMENTS NECESSARY

TO PROVIDE PAVED ACCESS MAY OR MAY NOT BE CREDITABLE TO THE APPLICANT'S CONTRIBUTION REFERRED TO IN ITEM #2.

7. THE APPLICANT SHALL PROVIDE ALL-WEATHER ACCESS TO ALL PARCELS AND LOTS, AND ON ALL ARTERIAL ROADWAYS.
8. THE APPLICANT SHALL PROVIDE AND MAKE AVAILABLE A MINIMUM OF TWO ACCESS POINTS TO EACH DEVELOPMENT PHASE AND/OR SUBDIVISION UNIT, OR AS OTHERWISE APPROVED BY MCDOT.
9. THE APPLICANT SHALL NOT LOCATE ELEMENTARY OR MIDDLE SCHOOLS ON ARTERIAL ROADS. (THE SCHOOLS MAY NOT "BACK UP" TO ARTERIALS.) PEDESTRIAN ROUTES TO SCHOOL SHALL BE PLANNED SO IF NECESSARY, THE ROUTE TO SCHOOL SHALL ONLY CROSS ARTERIALS AT SIGNALIZED INTERSECTIONS.
10. THE APPLICANT SHALL DESIGN THE DEVELOPMENT TO PROMOTE PEDESTRIAN, BICYCLE AND OTHER ALTERNATIVE MODES OF TRANSPORTATION TO PUBLIC FACILITIES WITHIN AND ADJACENT TO THE SITE, BY MEANS IN ADDITION TO THE ROADWAY SYSTEM. CROSSINGS OF ARTERIALS AT OTHER THAN SIGNALIZED INTERSECTIONS SHALL BE GRADE SEPARATED. IMPROVEMENT PLANS MUST BE APPROVED AND PERMITTED BY MCDOT. THE APPLICANT SHALL PREPARE A COMPREHENSIVE MULTIMODAL TRANSPORTATION AND CIRCULATION PLAN (THE "MULTIMODAL PLAN") WHICH ADDRESSES BICYCLE, PEDESTRIAN, GOLF CART, EQUESTRIAN, AND OTHER ALTERNATIVE USES, BUT NOT INCLUDING RAIL. THE MULTIMODAL PLAN SHALL ADDRESS THE TIMING FOR NECESSARY IMPROVEMENTS, INCLUDING "TRIGGER" POINTS FOR DESIGN TO BEGIN AND "THRESHOLDS" BY WHICH TIME CONSTRUCTION SHOULD BE COMPLETE. THE MULTIMODAL PLAN MUST BE APPROVED BEFORE THE SUBSEQUENT APPROVAL OF ANY ROADWAY IMPROVEMENT PLANS. THE PROJECT MUST COMPLY WITH ALL RECOMMENDATIONS IN THE MCDOT-APPROVED MULTIMODAL PLAN.
11. THE APPLICANT SHALL DESIGN THE PROJECT TO ACCOMMODATE PUBLIC TRANSIT. PRIOR TO ANY ZONING (REZONING) OR PRELIMINARY PLAT APPROVAL, THE APPLICANT SHALL MEET WITH THE REGIONAL PUBLIC TRANSIT AUTHORITY, OR EQUIVALENT PUBLIC TRANSPORTATION AGENCY, TO DISCUSS FUTURE PUBLIC TRANSIT NEEDS AND TO ENSURE THAT THE PROJECT CAN ACCOMMODATE ANTICIPATED FUTURE TRANSIT FACILITIES. ANALYSIS OF PUBLIC TRANSIT FACILITIES SHALL INCLUDE, BUT NOT BE LIMITED TO, A COORDINATED PARK AND RIDE LOT SYSTEM AND BUS TERMINALS. THE APPLICANT SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ITS APPROPRIATE SHARE OF PUBLIC TRANSIT

FACILITIES. PUBLIC TRANSIT FACILITIES SHALL BE IDENTIFIED AND INCLUDED IN THE MULTIMODAL PLAN REFERENCED IN ITEM #10.

12. IF STREETLIGHTS ARE PROVIDED, INSTALLATION SHALL BE PROVIDED BY THE APPLICANT. IF STREETLIGHTS ARE WITHIN PUBLIC RIGHTS-OF-WAY, A STREET LIGHT IMPROVEMENT DISTRICT (SLID) OR COMPARABLE AUTHORITY SHALL BE ESTABLISHED TO PROVIDE OPERATION AND MAINTENANCE. THE APPLICANT SHOULD CONTACT THE OFFICE OF THE SUPERINTENDENT OF STREETS (602-506-8797) TO INITIATE THE SLID PROCESS.
13. THE APPLICANT SHALL DESIGN LANDSCAPING TO COMPLY WITH ALL COUNTY REQUIREMENTS AND TO CONFORM TO THE MCDOT ROADWAY DESIGN MANUAL, CHAPTER 9. THE APPLICANT (OR AS ASSIGNED TO THE HOME OWNER'S ASSOCIATION (HOA)) SHALL BE RESPONSIBLE FOR MAINTENANCE OF LANDSCAPING WITHIN PUBLIC RIGHTS-OF-WAY.
14. THE APPLICANT SHALL PROVIDE A CONSTRUCTION TRAFFIC CIRCULATION PLAN. THE CONSTRUCTION TRAFFIC CIRCULATION PLAN MUST BE APPROVED BY MCDOT.
15. THE APPLICANT SHALL COMPLY WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL REQUIREMENTS. (DUST CONTROL, NOISE MITIGATION, AZPDES, 404 PERMITTING, ETC.)
16. THE APPLICANT SHALL COMPLY WITH THE ADOT "RED LETTER" NOTIFICATION PROCESS. THE APPLICANT SHALL PROVIDE WRITTEN DOCUMENTATION OF COMPLIANCE. SUCH DOCUMENTATION SHALL BE RECEIVED PRIOR TO ANY ZONING (REZONING) OR PRELIMINARY PLAT APPROVAL, OR AT THE DISCRETION OF MCDOT.
17. THE APPLICANT SHALL PROVIDE WRITTEN DOCUMENTATION OF ADOT'S REVIEW AND RESPONSE. ADOT DOCUMENTATION SHALL BE RECEIVED BEFORE ANY ZONING (REZONING) OR PRELIMINARY PLAT APPROVAL, OR AT THE DISCRETION OF MCDOT.
18. THE APPLICANT SHALL ADDRESS THE MCDOT TRAFFIC ENGINEERING COMMENTS WHICH ARE ATTACHED.

qqq. THE FOLLOWING MARICOPA COUNTY FLOOD CONTROL DISTRICT STIPULATIONS SHALL APPLY:

1. THE FLOOD CONTROL DISTRICT (DISTRICT) IS A MAPPING COORDINATION CONTRACTOR WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY

(FEMA) WHO HAS PROVIDED NOTIFICATION TO THE DISTRICT THAT ALL STRUCTURES IN MARICOPA COUNTY MUST BE ASSESSED AND CATEGORIZED WITH RESPECT TO LEVEE CERTIFICATION PROCEDURES IN CONFORMANCE WITH SECTION 65.10 OF THE NATIONAL FLOOD INSURANCE PROGRAM. THE DISTRICT ANTICIPATES THAT WHILE WE UPDATE THE FLOOD INSURANCE RATE MAPS IN MARICOPA COUNTY FOR CERTIFICATION OF STRUCTURES IN ACCORDANCE WITH THE FEMA LEVEE INVENTORY SYSTEM DURING THE NEXT COUPLE OF YEARS, THE 100-YEAR DELINEATED FLOODPLAINS THROUGH THE BELMONT PROPERTY MAY BE CHANGED DUE TO THE CENTRAL ARIZONA PROJECT (CAP) CANAL. PRIOR TO APPROVAL OF ANY PRELIMINARY PLAT NORTH OF THE BETHANY HOME ROAD ALIGNMENT, THE APPLICANT MUST IDENTIFY THE POTENTIAL HAZARD DOWNSTREAM OF THE CAP CANAL THROUGH THE DEVELOPMENT MASTER PLAN BOUNDARIES IF THE DISTRICT HAS NOT COMPLETED THE ASSESSMENT.

2. PRIOR TO APPROVAL OF ANY DEVELOPMENT IN THE ZONE A DELINEATION FLOODPLAINS THROUGH THE DEVELOPMENT MASTER PLAN LIMITS, A DETAILED FLOODPLAIN STUDY MUST BE COMPLETED AND SUBMITTED TO FEMA FOR APPROVAL WHEN THE DEVELOPMENT IS GREATER THAN FIFTY (50) LOTS OR FIVE (5) ACRES, WHICHEVER IS LESSER.

rrr. PRIOR TO ANY ZONE CHANGE, THE MASTER DEVELOPER SHALL ENTER INTO A DEVELOPMENT AGREEMENT WITH THE MARICOPA COUNTY SHERIFF'S OFFICE. THIS DEVELOPMENT AGREEMENT SHALL INCLUDE, BUT NOT NECESSARILY BE LIMITED TO, THE MASTER DEVELOPER'S REQUIREMENT TO DONATE AT NO COST TO THE COUNTY, FOR USE BY THE MARICOPA COUNTY SHERIFF'S OFFICE, A 5 ACRE SITE IN CLOSE PROXIMITY TO INTERSTATE 10, AND A 15,000 SQUARE FOOT BUILDING SITE WITHIN THE TOWN CENTER AREA FOR THE FUTURE CONSTRUCTION OF ON-SITE LAW ENFORCEMENT FACILITIES FOR THE SHERIFF'S OFFICE TO CONDUCT DAY-TO-DAY BUSINESS RELATED TO PROVIDING LAW ENFORCEMENT SERVICES TO BELMONT AND SURROUNDING AREAS. THIS DEVELOPMENT AGREEMENT SHALL ALSO INCLUDE, BUT NOT NECESSARILY BE LIMITED TO, THE MASTER DEVELOPER'S REQUIREMENT TO PAY FOR START UP COSTS AND INTERIM FEES FOR LAW ENFORCEMENT SERVICES ASSOCIATED WITH THE PROPERTY UNLESS IT IS ANNEXED INTO AN INCORPORATED MUNICIPALITY OR UNTIL A FULL LAW ENFORCEMENT SERVICE CONTRACT IS OTHERWISE IMPLEMENTED. THIS DEVELOPMENT AGREEMENT SHALL BE SIGNED BY BOTH THE MASTER DEVELOPER AND THE MARICOPA COUNTY SHERIFF'S OFFICE.

sss. THE MASTER DEVELOPER SHALL NOTIFY FUTURE RESIDENTS THAT THEY ARE LOCATED WITHIN THE VICINITY OF A MILITARY TRAINING ROUTE WITH THE FOLLOWING NOTIFICATION:

"YOU ARE BUYING A HOME OR PROPERTY WITHIN THE VICINITY OF A MILITARY TRAINING ROUTE, AND MAY BE SUBJECT TO DIRECT OVERFLIGHTS AND NOISE BY LUKE AIR FORCE BASE AND OTHER MILITARY JET AIRCRAFT IN THE VICINITY.

LUKE AIR FORCE BASE EXECUTES OVER 200,000 FLIGHT OPERATIONS PER YEAR, AT AN AVERAGE OF APPROXIMATELY 170 OVER FLIGHTS PER DAY. ALTHOUGH LUKE'S PRIMARY FLIGHT PATHS ARE LOCATED WITHIN 20 MILES FROM THE BASE, JET NOISE WILL BE APPARENT THROUGHOUT THE AREA AS AIRCRAFT TRANSIENT TO AND FROM THE BARRY M. GOLDWATER GUNNERY RANGE, AND OTHER FLIGHT TRAINING AREAS.

LUKE AIR FORCE BASE MAY LAUNCH AND RECOVER AIRCRAFT IN EITHER DIRECTION OFF ITS RUNWAYS ORIENTED TO THE SOUTHWEST AND NORTHEAST. NOISE WILL BE MORE NOTICEABLE DURING OVERCAST SKY CONDITIONS DUE TO NOISE REFLECTIONS OFF THE CLOUDS.

LUKE AIR FORCE BASE'S NORMAL FLYING HOURS EXTEND FROM 7:00 A.M. UNTIL APPROXIMATELY MIDNIGHT, MONDAY THROUGH FRIDAY, BUT SOME LIMITED FLYING WILL OCCUR OUTSIDE THESE HOURS AND DURING MOST WEEKENDS."

SUCH NOTIFICATION SHALL BE PERMANENTLY POSTED IN FRONT OF ALL HOME SALES OFFICES ON NOT LESS THAN A 3 FOOT BY 5 FOOT SIGN, BE PERMANENTLY POSTED ON THE FRONT DOOR OF ALL HOME SALES OFFICES ON NOT LESS THAN AN 8½ INCH BY 11 INCH SIGN, BE INCLUDED IN ALL COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&Rs), AND BE INCLUDED IN THE PUBLIC REPORT.

- ttt. THE BELMONT DEVELOPMENT MASTER PLAN SHALL BE DEVELOPED SEQUENTIALLY AS IDENTIFIED ON EXHIBIT P: PHASING PLAN. MINOR CHANGES TO THE PHASING PLAN MAY BE APPROVED ADMINISTRATIVELY BY THE MARICOPA COUNTY PLANNING AND DEVELOPMENT DEPARTMENT.

mrh

Attachments: Case map
Vicinity map

Library District memo, dated June 5, 2006
MCESD memo, dated September 6, 2006
MCDOT memo, dated August 31, 2006
Drainage Plan Review memo, dated September 5, 2006
MC Dept. Emergency Management memo, dated Sept. 20, 2006
FCD memo, dated August 31, 2006
Parks & Recreation Department memos, dated February 27, 2006
MC Sheriffs Office memo, dated March 2, 2006
SHPO letter, dated June 26, 2006
ADOT letter, dated June 20, 2006
Luke AFB letter, dated February 15, 2006
Saddle Mtn. School District letter, dated May 16, 2006
ADWR letter, dated February 6, 2006
Tonopah Valley Fire District letter, dated February 26, 2006
Letter of opposition, dated September 19, 2006
Applicant proposed stipulation modifications

Enclosures: Belmont narrative report, dated revised September 1, 2006, stamped
received September 8, 2006
Belmont Final Citizen Participation Report, dated September 8, 2006
and stamped received September 8, 2006